



CONVOY DISPATCH

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

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New Jersey TDU

Pension Victory!

TDU is on the move in New Jersey. A pension fund victory is presently in the works that will result in benefit increases of hundreds of dollars each month for Teamsters in several New Jersey locals. And in the process of winning this victory, New Jersey TDUs are showing that the fear and intimidation that has hung over many of these locals for years can be overcome.

Initial steps on the pension fund were instigated by Local 560 St. Johnsbury driver John McKenzie who, like many other New Jersey Teamsters, has worked in more than one local. Each local's pension fund has reciprocity with the others and is supposed to provide pro-rata pension payments based on the years worked in each local.

McKenzie was shocked to find out that the rules had been changed. When he looked into how much his total pension would be, he was told by Local 641, where he had earned four years of credit, that his monthly benefit had been cut from \$45.00 to \$15.50.

"I couldn't believe that my pension benefits would be cut to a third of what I had been told they were in 1976. I expected them to go up, not down, by 1985," McKenzie told CD.

But it was true, the pension fund had simply changed its rules as of December 1984, with the result that anyone retiring after that date under a pro-rata plan would only get the rate effective when they worked in the local, instead of the one in effect when they retired. Even worse, it turned out that a total of at least four New Jersey funds had changed their rules, meaning that the ripoff would affect thousands of Teamsters. McKenzie's benefit cut was bad enough, but hundreds and possibly thousands of others were hit harder. For example, one member was informed that his benefits would be cut from \$1,300 per month to \$700! If he retired before December 1984, his benefits would have been almost twice as much.

After discovering this incredible ripoff, McKenzie contacted TDU, and a meeting was quickly set up to see if other members were ready to help tackle the problem. They

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Countdown!

In only two months our union will be meeting in Las Vegas, Nevada to decide leadership and direction for the coming five years. The countdown is on for members and officers to decide whether this convention will be a step forward for our union, or one more rubber stamp for Presser.

Since the 1981 Convention the clock has ticked off setback after setback for our union, and some disturbing facts face all Teamsters at this time:

Fact: Our union is 200,000 members smaller than it was at the time of the 1981 convention. The International Union has no major organizing drives in cartage, freight, construction, warehousing or other major Teamster jurisdictions to fend off the growing nonunion sectors.

Fact: Our master contracts, once the backbone of our union's strength and of Hoffa's strategy, are being gutted. Union members used to work together for better conditions. Now they are being pitted against each other by two-tier wages and other concessions. Tens of thousands of Teamsters have been pressured into signing individual deals with their employers for ESOP wage cuts, while the International has completely refused to bargain for

them.

Fact: Members have had to defeat two contracts negotiated by Presser. In 1983 we turned back his "Relief Rider" to the NMFA by an 8-1 margin. In 1985 car haulers sent back his first contract sellout by a margin of 4-1.

Fact: Even now, the most profitable Teamster employers continue to demand more and more concessions. Our International Union is standing by silently while union-busting is becoming as American as Spam.

Fact: The number of members who display confidence in our union is at an all time low, and confidence in our General President is nonexistent.

Fact: Accountability begins at home. Delegates from your local union will be attending the convention. Will they be cheerleaders for Presser's catastrophic course, or unionists committed to doing what is best for the union? There are many officers who are all too familiar with the problems and know something must be done. Will they do something, or sit back so as not to "rock the boat"? The fact is that when a boat is sinking, it's time to bail out the water, plug the leaks and steer a new course.

The countdown is on. May 1986,

could be a turning point for our union, or it could be another example of the lack of courage and foresight that has led us up to this point. The choice is up to us, and what we do in the coming months could make the difference.

Thousands of members have already done a tremendous job of distributing the Right to Vote Petition and making the right to vote an issue in their locals, but we have more to do. Here's what you can do to help:

1. Sign and distribute the Right to Vote Petition (order form on page 6).

2. Nail your local officials down on where they stand, and what they will do at the convention. Raise a motion at your local union meeting putting the local's membership on record in favor of the right to vote.

3. Support rank and file members running on reform slates in delegate campaigns. Many larger locals will be holding elections in the coming month, including Atlanta, Toledo, Detroit, Los Angeles, Louisville, and others. Your help, and your vote, are important.

4. Join TDU, and encourage others to join. Let other members know there is hope and there's an organization of Teamsters out there working to improve our union.

We Are Working For You

Recent TDU victories on benefit funds that affect thousands of Teamsters prove that TDU is getting the job done. Just recently we have:

✓ **Won Legal Action** that protects thousands of Teamsters when their employer is delinquent in paying health and welfare payments.

✓ **Helped Insure that Thousands** of Teamsters will receive their 30-and-out pension benefits by working for reciprocity between the Central States and Local 710 Pension Plans.

✓ **Improved the Pensions** that hundreds of New Jersey Teamsters will receive thanks to legal action and organizing by the New York/New Jersey TDU Office. (For more on these victories see page 9.)

If you need more reasons to join TDU, then stay tuned to future issues of *Convoy Dispatch*. But don't you think that these victories are reason enough to support the organization that is working for you? Join today.

JOIN TDU!

TDU Membership Application Form

Name _____ Local # _____

Address _____

City _____ State/Prov. _____ Zip _____

Phone () _____ Company _____

Area Code

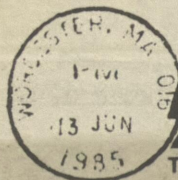
City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐
Construction ☐ Production ☐ Other _____

☐ \$25 membership fee—for one year's membership & subscription to **CONVOY DISPATCH**.

☐ \$60 three year membership fee. (\$10 of this shall be rebated to the local chapter).

☐ \$15 annual dues for spouses, retirees, and Teamsters who gross less than \$12,000 a year.

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and IBT officials.)



From the Members

Teamsters for a Democratic Union, Box 10128, Detroit, MI 48210 313-842-2600

Members: Don't Ignore Problems; Sign the Petition

The right to vote campaign for our top Teamster officers is underway, with petitions circulating throughout the country to this effect. In most cases when I ask someone if they would like to sign the petition, they say something like, "I have always thought we should have had the right to vote," or, "This is way overdue."

Some months ago, when Presser was asked by the media how he could justify being a millionaire and continue to accept a salary of hundreds of thousands of dollars annually from the IBT, he replied, "Some make it in real estate, some make it in industry...I make it in unions. So what?"

It has been brought out many times that Presser inherited his place in the union from his father Bill Presser. Not so long ago, many of us saw him taking the fifth amendment on national television rather than answer questions that directly concern us and our union.

I respect his right to invoke the fifth amendment as a private citizen, but when he refuses to answer questions which concern me and my affairs, and my brothers and sisters in the field of labor, he is stepping out of line. That tells me something: that he is not the type of person I want to handle any part of my life.

But brothers and sisters, do you want my opinion as to who is to blame for this situation? We are, for letting him get away with it. We have ignored what has been happening for too long. So, please, let us take steps to change the situation. Sign and circulate the petition for the right to vote. Send a donation to TDU to help pay for the many costs of this campaign. Let us see that those who work for us will finally be accountable to us.

They will never reduce their inflated

salaries or give us the right to vote voluntarily. It's up to us. I am circulating the petition and have sent in a donation. Won't you?

Earl Bowyer
Local 171
Vinton, Virginia

Let's Target Organizing

TDU needs to concentrate on the lack of organizing going on in the transportation sector by the International Union. It is the diminishing percentage of union drivers in the industry that is putting the pressure on those who remain in the union. The correct impression of nonunion drivers is that many of our locals, our International Union, and our pension and health and welfare funds are subsidiaries of organized crime.

Jeff Reeder
Local 722
Urbana, Illinois

Truck Safety Is Ignored by Union

Like many other Teamsters, I work for a company that says, "Drive them until they fall apart, then we fix them." Well, I don't agree with them, but does our union? In my opinion, yes. Because if they didn't, we wouldn't be forced to drive these rolling death traps.

Six months ago I was injured on a truck that two other men had previously been injured on in exactly the same way. I asked the company to fix it, and their response was, "We'll get to it later." I asked the union for help, and they said, "What can we do?"

We are supposed to be the number one union in the world—it's true—number one with the highest number of our members out on workers' compensation.

As far as I can tell, we don't have a leg to stand on as long as our union backs out on its obligations, and it seems that as far as the union is concerned they don't care if we have an arm or a leg or anything else.

With a little help from TDU, I know that I am getting my confidence together, and I am willing to pull my share and give it all I've got.

Janice Davis
Local 175
Charleston, West Virginia

TDU Truth Beats Silence & Rumors

Thank you for the information printed on Ryder/PIE in the *Convoy Dispatch*. We get more information from TDU than we hear from either the company or the union. It's a pretty frightening feeling to watch 30 years of employment slowly going down the drain, and only receive misinformation, rumors and silence as a reward. Thanks for the truth TDU!

Mary Rugroden
Teamster wife
Minneapolis, Minnesota

Thanks from Louisville, KY

TDU is doing a fine job, and we in Louisville appreciate all that you are doing for all Teamsters and hope that we can contribute more in the coming year.

Alan W. Sharp
Local 89
Louisville, Kentucky

New York/New Jersey & W. Coast Offices

To contact the West Coast TDU office, write: TDU, Box 8548, San Jose CA 95155, and call (408) 971-1035. For the NY/NJ office, write: TDU, YMCA Building, Room 619, 30 Third Ave., Brooklyn, NY 11217, and call (718) 834-0631.

TDU Steering Committee

Co-Chairs:
Doug Allan, #208
Pete Camarata, #299
Linda Gregg, #435
Maralee Smith, #142

Organizer:
Ken Paff, #407

Trustees:
Barbara Boriotti, #804
Cliff Coonley, #600
Mike Friedman, #407

Members:
Emil Abate, #853
John Braxton, #623
Archie Cook, #705
Manuel Diaz, #679
Edward Hernandez, #707
Doug Mims, #728
Mike Savoir, #41

Alternates:
Pete Sercombe, #150
Jerry Simon, #20
Jesse Mize, #688

MOVING? Please notify us of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class mail and will not be forwarded to you. Use the membership application in any issue of the paper to let us know you are moving, and write on the top of the form: **CHANGE OF ADDRESS.**

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Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers — every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1985 for one year. Our Rank & File Convention had nearly 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to reform or to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

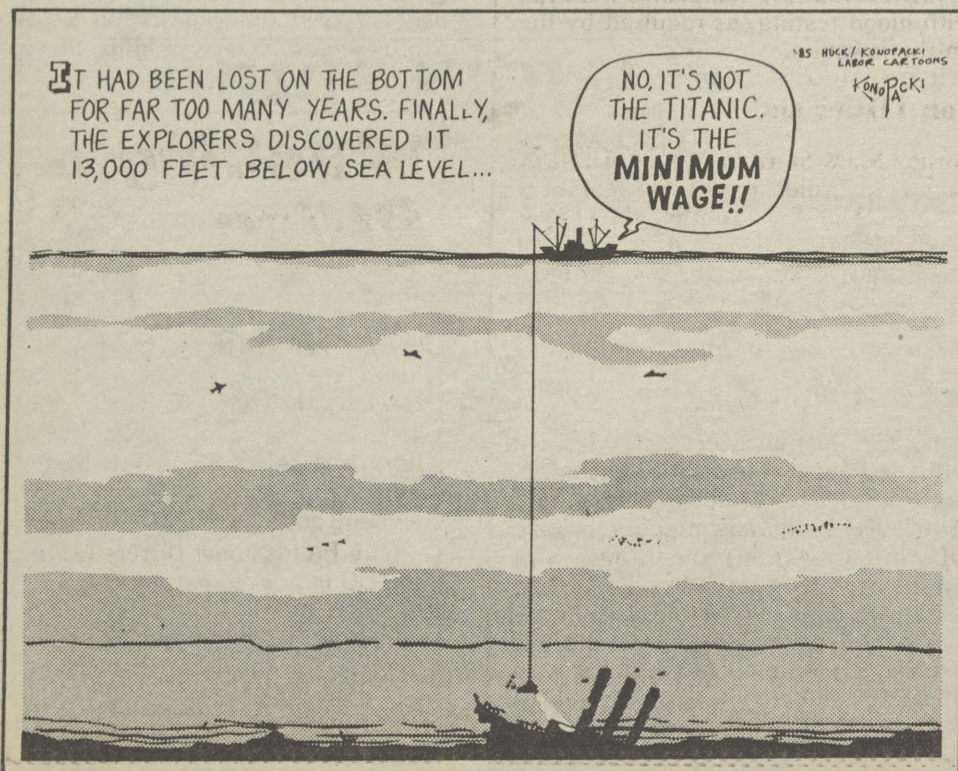
VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

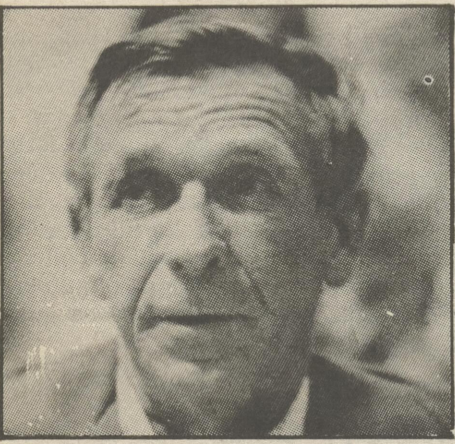
IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.





Washington Watch



Roger Thomas, Local 988.

Local 988 Reinstates TDUer

Roger Thomas, Teamster driver for Jack Cooper in Houston, Texas, won a full victory in January after the officials of Houston Local 988 tried in vain to kick him out of the union. Thomas credits TDU with winning the battle: "I could not have won without TDU's support and without the lawsuit that was filed on my behalf."

Thomas was expelled from Local 988 last April after the executive board held a kangaroo style hearing against him. Thomas was accused of saying his steward took a payoff, after it became common knowledge at the terminal that the employer (Jack Cooper—United Transports) loaned the steward \$2500.

It was then that he contacted TDU, through other drivers at the terminal who were members. TDU pointed out that: 1) it is illegal to punish a member for free speech activity, no matter how critical of the officers or their pals, and 2) it was commonly stated all over the terminal that the steward was the benefactor of a loan from the company, and 3) that the officials held a hearing without even properly notifying Thomas of the charges against him, and 4) that the employer was working with the union on the whole deal.

Suit was filed in federal court in July. The local officials then changed their behavior, providing Thomas with a ballot on the carhaul contract and allowing him to attend union meetings.

Now, Thomas has been vindicated. In January the Teamster General Executive Board ordered Local 988's decision completely reversed.

South Africa Divestment Backed

The TDU Steering Committee in December adopted a suggestion made at the Rank and File Convention in October and went on record in favor of encouraging the Teamster pension plans to consider divesting from corporations which maintain operations in South Africa. This is considered by unions in South Africa, Bishop Desmond Tutu and others to be the most effective way Americans can show solidarity.

Labor Dept's Enforcement of "Whistleblower" Law Found Weak

For years TDU lobbied hard for legal protection for truck drivers engaged in safety activities. In 1983 Congress responded by enacting the TDU-initiated Section 405 of the Surface Transportation Assistance Act (STAA) which provides protection for all transportation industry employees. Below is a summary of the Act's provisions and an update on the Department of Labor's (DOL) enforcement performance.

The Act's Protection

Section 405 protects all employees in surface transportation from employment discrimination (including discharge) that is based on the employee's safety-related activities. Thus, the act promises protection to employees who follow federal or state safety regulations, who refuse unsafe work, or who complain to their employer or government agencies about unsafe working conditions.

As noted by a DOL official, while the act's strong language suggests great protection for workers, it has been very under-utilized. In 1984, only 354 employees filed complaints under the act, and, in 1985, this number dropped to 248. This under-utilization may be attributed to the fact that few workers are aware of Section 405, or may be a result of the DOL's mediocre enforcement record.

The Office of Occupational Health and Safety, within the DOL, is charged with enforcement of Section 405. In the three years that the act has been in effect, the DOL has had a very spotty enforcement record. A few conclusions can be drawn from an examination of the cases found meritorious. The DOL is slowly improving what began as a very poor enforcement record. Thus, in the first half of 1984, only eight cases were found to have merit. By the end of the year, twenty-five merit findings had been issued, and in 1985

fifty-eight merit findings were issued.

There is also a drastic difference in enforcement between DOL regional offices. In 1985, Region 7 (Iowa, Kansas, Missouri and Nebraska) issued 37 merit findings, a rate of 75%. In contrast, no other region issued over 13 merit findings, and Regions 8, 9 and 10, which cover most of the western United States, found none of the 54 complaints lodged with them meritorious. This complete lack of enforcement in the west suggests that this region cannot be taking Section 405's purposes seriously.

The complaints that the DOL does find meritorious under Section 405 illustrate the clear need for the act's protections, indicating the length that employers will go to to force employees to break a law or to get rid of outspoken workers.

In 1984 CF discharged an employee who had told his dispatcher repeatedly that he was too sick to work and the dispatcher ordered him to come in anyway. He did, but signed his log forced to drive. A few miles down the road he called for an ambulance and the doctor medicated him and told him to take several days off work.

In another meritorious case, a driver for Mullins Leasing had worked 22 hours when told to continue driving. He took a short break, 3½ hours, and continued on. He fell asleep at the wheel and had a minor accident. Upon arrival at the second terminal he was told to continue to another location. When he refused, he was fired.

The DOL's enforcement of Section 405, particularly in the west, is far from adequate. Publicity should be given to the act's protections by the Teamsters Union and by the DOL. Since enforcement of the act is so spotty, employees who have their complaints dismissed by the DOL should take advantage of the hearing process afforded to them under the act. For more information on Section 405, or for assistance in filing charges under it, contact TDU.

Legal Briefs

Senate Bill Sets Mandatory Drug Screening.

A bill pending before the Senate, entitled the Commercial Motor Vehicle Safety Act of 1985, poses both a benefit and a danger to road drivers. If passed, the bill would create additional funding for state roadside inspection of trucks, but would also require mandatory drug testing as part of the roadside inspections. Under the act drivers would have their license revoked for 150 days if the test finds they are intoxicated. But, as pointed out in previous CD articles, drug tests are plagued by a host of problems that seriously question their reliability. Comments on the bill can be directed to Senators Danforth and Packwood at the Senate Office Building, Washington, D.C. 20510.

Last month in *Convoy Dispatch* we reported on a suit filed against Yellow Freight Systems and the union on the drug testing provisions of the NMFA. In late January, a suit was filed in the United States District Court Northern District of Ohio against Roadway Express and the International Union.

The pressure put on the companies and the union as a result of the pending litigation may already be bringing changes to the drug testing procedures. It's been reported that the Eastern Conference Joint Area Committee recently deadlocked a drug testing case, based on the fact that the companies were not confirming positive urinalysis reports with blood testing, as required by the agreement, a point TDU has included in the lawsuits.

Landrum-Griffin Victory for Boston TDUer and Attorney.

As a result of a suit filed by Boston attorney Mark Stern on behalf of TDUer Arthur Doty, a Massachusetts Federal Court has ruled that union members have three years to file suits that allege violations under the Labor Management Reporting and Disclosure Act (LMRDA). Doty had been denied membership in two IBT locals—42 and 48. Other circuit court decisions have given union members only six months. This variance of opinion means that the Supreme Court may soon decide the issue.

Several Suits Filed Over Jifflox Injuries.

Ongoing work by the TDU Washington office has uncovered at least five lawsuits filed by drivers because of injuries caused by the Jifflox. The suits, filed in Indiana, Michigan, Tennessee and Pennsylvania, allege deficiencies in design and lack of an effective counter balance. Hundreds of petitions have been submitted to the Washington TDU Office regarding the Jifflox, with many members still working on getting signatures. The petitions will be used to back up the legal action, and also submitted to the National Highway Traffic Safety Administration. Drivers who still have petitions should get them in to the Washington office as soon as possible, and drivers with information on Jifflox injuries or who would like to help should contact TDU immediately.

Washington Office



This page is devoted to news from the Washington office of TDU — formerly PROD's national office. Litigation, designing new legislation, and reforming safety regulations concerning all aspects of working conditions and truck design — the Professional Drivers Council of TDU is here to help you. Contact us today at:

PROD/TDU
2000 P Street, N.W., Room 612
Washington, D.C. 20036
(202) 785-3707

Threat to Allow Cut-Rate Casuals On Road

IBT Set to Sell Out NMFA Again?

Jackie Presser and the International Union are considering a major rewrite of the National Master Freight Agreement, in midterm and without a vote of the members. At issue is establishing an over-the-road scale of 27.5c per mile and allowing the big carriers to flood the highways with casuals.

The issue is currently deadlocked to the National Grievance Committee, chaired by Jackie Presser. It could go either way, with thousands of fulltime, top-rate jobs hanging in the balance.

Unfortunately, there are some indications that a sellout is a possibility, so the time is now to sound the alarm and have all concerned local unions voice their opinion.

Until now the trend toward more and more use of casuals to eliminate fulltime Teamster jobs has mainly affected city and dock workers. And in 1985, a new cut-rate of \$11 an hour

was inserted into the NMFA specifically only for "hourly-paid casual workers." Nothing was added to provide for road casuals or a road casual cut-rate.

But the employers, ever creative in their desire for more concessions and fewer union employees, invented one! Different rates were invented, but 27.5c now seems to be the standard deal.

The situation is worst in the south, where many road casuals are being used to cut jobs by CF, Roadway and other large carriers. This is because Don West, Southern Conference freight director and International VP appointed by Presser, has endorsed the big giveaway! West says he sees nothing wrong with it. Drivers from Orlando to Memphis to Houston most definitely do see something wrong with it.

In the Eastern Conference, a Titan

message to all locals last year caused a scare when International VP Joe Trerotola said no road cut-rate had been established "yet." More recently, Eastern Conference reps like Chuck Gagnon have been singing the employers' song on the deal.

Meanwhile, Jack Yager, the national freight director of the entire union, claims that he intends to enforce the contract. In a letter dated August 6, 1985, Yager stated: "Please

be advised there is no—repeat—no casual rate for road drivers in any Over-the-Road supplement to the National Master Freight Agreement."

We expect a decision soon. In fact, the printing of the contract books may be held up pending the outcome. We hope for the best, and are pushing for it. But if there is a sellout, it will be time to put the blame on those responsible and take them to task both legally and politically.

Local 773, Allentown, Pennsylvania

Strike Shows Threat Labor Leasing Poses

Dominic Buscemi
Preston

Local 773, Allentown, Pennsylvania

In 1968, Walt Wercheiser was a Marine struggling for survival in the jungles of Vietnam. Today Walt is a member of Teamster Local 773, struggling along with 29 of his co-workers to keep his job and working conditions. The enemies in this battle are labor leasing and union indifference.

Labor leasing is when one company leases its workers from another company. In this case, Cotter Co. (True Value Hardware Stores) leases its drivers from Mack Transportation. These Teamster drivers had a contract with Mack, not with Cotter.

After three years of concessions and record setting profits, Cotter still wasn't satisfied and asked for more concessions. The drivers refused. Cotter then broke its leasing arrangement with Mack Transportation and started using the labor services of another labor leasing company called Myer's. The Myer's drivers are also members of Allentown Local 773. Their contract has considerably lower standards than the Mack Transportation contract (\$9 an hour as opposed to \$11.25 at Mack). Myer's has offered the laid off Mack drivers jobs, but with significant concessions. Their representative, Steve Banus, Secretary Treasurer of Local 773, who had initially taken a strong stand against any concessions, has now done a total about-face and is trying to talk the drivers into going to work for Myer's.

He had assured the Mack drivers that Myer's drivers would not cross the picket lines "without my blessing" and insisted that Myer's would have to pay freight wages to get a contract with the local. He also gave additional assurances that no unionized carrier would cross the line.

Despite this not a single driver has honored the picket line. One driver who did refuse to cross was told by the company that he would be fired if he didn't. He later called the union hall and was told to cross.

The picketing drivers were confident that Myer's could not hire enough drivers to handle the workload. This confidence was shaken by reports from several of the newly-hired scab drivers that Myer's BA Chuck Bernhart told

them to use his name as a reference on the application. When asked about this at the monthly meeting, Bernhart admitted that he had been sending drivers to Myer's. Some of the Myer's men said that they wouldn't cross the line if the union would back them.

The position of Local 773 officials is that crossing the picket lines is a way to preserve union jobs in the local, as failure to cross would only mean that work would go to non-union scabs who would cross the picket lines anyway. The hall justifies this reasoning by saying that this is only a secondary picket because they can't get the International to sanction the strike.

Even though labor leasing has become a major weapon in management's union-busting arsenal, the International refuses to support the strike. Submissive resignation to this kind of tactic only encourages it all the more.

K.C. Driver Wins Job

Charles Welsh
Consolidated Freightways
Local 41, Kansas City, Missouri

In October, Kansas City-based CF driver Dennis Jackson was fired at Liberal, Kansas because he couldn't get his truck started. The Kansas City steward was there asleep, and when called got up and went right to work on the case. A call to Kansas City dispatch confirmed that they would uphold the firing.

Three of us: myself, Jim Crammer and Jack Williams talked to the terminal manager when we got back to Kansas City, but he stood by the firing. Since he wouldn't change his mind we all got behind our steward, Bill Smith, and the BA, Dennis Speaks. Bill Smith took off without pay and went to St. Louis with Speaks to present the grievance.

It paid off. Jackson was off for 13 days, but got his job back with full back pay—\$2,112. It may seem like a small victory, but it shows what you can do if you stick together as a group and work with your steward and BA. We are proud of them and ourselves.

Freight Lines

Full Backpay and Reinstatement for New York TDUser

Long-time TDU member Bob Castaldo recently won his job back with full backpay at the Maybrook, New York panel hearing. Castaldo had been fired by his employer, Van's Auto and Air Express, for allegedly assaulting a foreman. Castaldo appeared at the panel hearing with his own attorney and proved that the foreman had in fact attacked him without provocation. Castaldo is now back at work and continues to insist on enforcement of the contract.

Bankers Say Companies With ESOPs are Bad Risks.

In a recent interview in *Transport Topics*, Laurence Pierce, VP from the First National Bank of Boston commented on loan arrangements with trucking companies engaged in ESOPs: "We might not make loans to some of the new employee stock ownership plans that are being announced across the industry, and in general appear to be adopted by carriers that are otherwise in financial distress....Even though a wage give back is part of the program to try to make the carrier healthy, there is nothing inherent in the extent of the wage giveback that would make us feel the ESOP would be a success. Certainly in the terms of momentum of the carriers involved in ESOPs as rescue efforts, we see nothing to suggest that the ESOP will turn the carriers around."

Fired Roadway Worker Finally Receives Some Justice.

The state of New York Workers Compensation Board recently awarded a fired Roadway employee workers compensation benefits for extreme stress and anxiety disorder caused by his employer.

The case revolves around Ed Brown, a TDU activist who was fired by Roadway. The judge ruled that because of Brown's activity in TDU, his employer subjected him to severe stress and anxiety, enabling him to collect workers compensation.

The judge also noted that Local 707 and the National Labor Relations Board (NLRB) didn't offer Brown a fair shake: "The union has a duty to its members to give them fair representation subject to good faith and without discrimination. This was absent in the case. In the NLRB proceedings the claimant was not afforded to present witnesses or cross examine the employer and its witnesses."

Boston CEX Subcontracting; Local Blames Eastern Conference.

Conway Eastern Express (formerly Penn Yan, and the only unionized division of Conway) is violating the contract in a big way by subcontracting work previously done by union drivers to a non-union cartage company in Rhode Island. Four jobs are immediately affected, with a possible seven more on the line. When asked what was going on, Boston Local 25 sidestepped the issue by pointing the finger of blame at the Eastern Conference, which they said had let CEX make the change. But this direct violation of Article 32 of the NMFA isn't going unchallenged by some of the drivers who have started to demand some action on this situation.



Washington Watch

September 29, Cleveland

Date Set for Hearing in Presser Case

A hearing on various motions in the Jackie Presser ghost-employee scam case will take place on September 29 in Cleveland, Ohio. As the date approaches the case grows wilder by the day.

On September 1 Jackie Presser's uncle, Allen Friedman, sued Presser and Harold Friedman (no relation) in federal court for \$12 million for allegedly entrapping him in the ghost employee scheme. Uncle Allen's suit claims Presser offered him \$1000 a week in December 1976, and filed reports that he was a business agent, although that was false. Friedman claims he repeatedly offered to perform work for the union, but Presser refused to let him take on any substantial duties. He claims this entrapment caused him to be convicted of being a ghost employee and to serve time in federal prison.

Cleveland Local 507 TDUs have sued Presser and Harold Friedman to recover some of the \$2 million lost in the scam. The case has been put on

hold until the criminal case is settled.

Allen Friedman earlier admitted on national television that he was a ghost employee, but then attempted unsuccessfully to deny it in court. The jury sent him to prison for cashing the hundreds of checks that Presser signed over to him from the union treasury. Presser's attorney (and IBT General Counsel) John Climaco hopes to use Friedman's inconsistent statements against him in the Presser trial.

In addition, federal prosecutors are resisting compliance with Judge George White's order that they turn over all their files relating to Presser's role as an FBI informant to defense attorneys. They claim they have no way of knowing in advance which information is relevant, and that the defense will have a chance to cross examine any witnesses at the trial. They are appealing an earlier ruling by Judge White on this matter.

Prosecutors are also charging that the attorneys for Presser and Friedman are in violation of federal court rules

They're Coming From Florida



Tampa, Florida TDUs will be sending a good delegation to this year's convention. Some of those planning to attend are (from left to right) Enrico Caccavelli, Charles Wasson, Don Schuetter, Lou Woodward and Dana Beougher.

for pre-trial comments in the media about witnesses and evidence, and have asked the court to punish the attorneys. Countering this, Presser's attorney is planning to subpoena top Justice Department people at the September 29 hearing to ask them about leaks to the media about the case. These matters are to be resolved at the hearing and a trial will follow,

later this fall or winter. If Presser is convicted by the jury he will be forced out of office immediately.

Presser's defense is expected to rest on procedural challenges and on the fact that he was paid by the FBI for years as an informant. Two persons already convicted in court of being ghost employees, Allen Friedman and John Nardi, Jr., are expected to testify.

Legal Briefs

OSHA Hazardous Materials Rules to Cover All Workers.

In response to a suit filed by the United Steelworkers, Public Citizen Litigation and other labor interests, the Occupational Safety and Health Administration (OSHA) has expanded its hazardous material warning standards to all workers, meaning that drivers and transportation workers will now be covered. The standards mandate container labeling, training programs and the availability of Material Safety Data Sheets to keep workers informed on the dangers of chemicals they are handling. Employers have until June 1988 to comply with the standards. Please contact TDU for more information on the right to know rules.

Checks on Multiple Licenses Begin.

During the third week of August transportation officials from 11 eastern states participated in roadside inspections to enforce the new drivers license regulations. Thousands of trucks were stopped from Maine to Maryland in the sweep. Figures are not yet available on the percentage of drivers cited, as the information was entered into state computers for cross-checking. A similar program conducted in Rhode Island in August caught one out of every three drivers carrying multiple licenses. One driver was found to have thirteen different licenses.

TDU Files Charges Against UPS Over NLRA Violations.

Charges filed by TDU attorneys on August 27 with the National Labor Relations Board (NLRB) have been accepted and investigation of the case by field investigators will now begin. The charges stem from numerous incidents by UPS management involving intimidation over the right to distribute literature and oppose the contract offer. Violations from over 30 UPS centers around the country are cited in the charge. TDUs worked for several weeks with attorneys to document the violations, line up witnesses and draft affidavits. The cases cited include incidents of management taking signs out of workers' parked cars, searching through lockers for TDU contract material and calling members at home to ask how they were voting.

In presenting the case to General Counsel Rosemary Collyer, TDU attorney Julie Fosbinder stated that, "UPS has interfered with the Section 7 (of the Labor Relations Act) rights of its employees to organize against the collective bargaining agreement that has been tentatively reached..." The case has been assigned to the Seattle, Washington NLRB office. Fosbinder has asked that UPS workers contact the TDU office immediately with information about rights violations in their areas. The more information we have, the stronger the case will be.

Jifflox Case Wins Driver \$1.5 Million

During the first week of September, a Nashville jury awarded road driver Paul McAbey \$1.5 million in compensation for serious injuries he sustained in 1985 while hooking a Jifflox trailer dolly. This was the second major jury award against TODCO, the manufacturer of Jifflox. Several other cases have been settled favorably, and many more await trial.

According to McAbey's attorney, Mary Parker, this victory means that TODCO will likely be anxious to settle many of the cases against them rather than risk more large awards by sympathetic juries. TDU has been able to supply a number of injured Teamsters with counsel in these cases.

The question still remains as to whether the dollies will be completely removed from use. Nearly a year ago the National Highway Transportation Safety Administration (NHTSA) announced they were ordering a voluntary recall of the Jifflox. This was in direct response to a TDU campaign that coordinated documentation from hundreds of road drivers. TODCO refused the voluntary recall and NHTSA has continued to drag its feet on ordering a mandatory recall or other action. NHTSA has stated that they are collecting more information on the Jifflox and its dangers.

In the last year PIE, which has paid over \$4 million in compensation claims because of the dolly, has supposedly taken several additional steps to reduce injuries. According to a PIE spokesperson the company has refitted 98% of their dollies with counterweights, added handles to the tongues

and implemented a policy of pre-hooking all doubles, using as many yard workers as necessary. The PIE spokesperson states that these steps have "created a remarkable reduction in injuries," with reported injuries dropping from one to two a week in 1985 to roughly ten over the last eight months.

Because of PIE's alleged improvements, it is possible that NHTSA will simply order TODCO to refit each dolly with a counterweight, or take the additional step of declaring that hooking the dolly is a two-person operation. While this would be a significant improvement, TDU remains committed to the total recall of Jifflox. We continue to need updated information, particularly from PIE drivers. Contact TDU with information pertaining to the following:

- Whether the dollies at your terminal have been fitted with counterweights.
- Whether the counterweights have eliminated the dolly's handling problems.
- Whether units are pre-hooked.
- Whether drivers may request assistance in hooking if they are not.

Further research has updated our list of 116 top Teamster officials who made over \$100,000 in salaries, allowances and expenses during 1986. We now have a 117th member of the club. George Hanson of Bakersfield, California bagged \$104,150 from Local 87, with help from Joint Council 38 and the IBT.

Freight Contract Negotiations

Good Bargaining Position in '88

This month we are kicking off a new column devoted entirely to discussion of the upcoming freight and carhaul contracts. Our goal is to encourage input by a wide number of members and cover the key issues facing us in 1988. This month we are publishing two articles on the freight contract, one on our negotiating position by Allentown Local 773 member and PIE driver Don Landis, and another on the need for a shorter work week submitted by the Committee of Road Drivers for Better Working Conditions in Kansas City.

As the deadline for the new freight contract approaches, many Teamsters are wondering what kind of bargaining position the rank and file will be in this time around. The "Focus on Freight" newsletters and recent editions of the *International Teamster* magazine have been filled with bad news and dire predictions. Nevertheless, I feel there is actually good news.

Three major factors will have a positive effect on our ability to demand and receive a good contract in 1988, a contract free of the concessions that have weakened our union over the past six years. These factors are: a shortage of qualified employees both now and in the near future; a changing political scene that will favor working men and women; and an improving image and growing appreciation of unions in the eyes of the general public.

An article in the *New York Times* (8/30/87) states, "The unemployment rate has dropped below 6% and the growth rate of the labor force is slowing to 1.5%, from 2 and 3% during the 1970s. Competition for labor could start an acceleration in pay growth." Another article from the *Wall Street Journal* (8/28/87) says, "Also likely to help unions are current labor shortages which may grow in the years ahead. As the baby boom bottoms out, the work force will expand much more slowly in the 1990s than in the 1970s. A recent Hudson Institute report suggests that this, coupled with a smaller reservoir of adequately educated workers, could lead to shortages in certain job markets. In addition, labor shortages have emboldened workers. Union leaders say workers are more willing to take risks and no longer fear losing their jobs."

The recent change in Department of Transportation (DOT) regulations is creating a shortage of road drivers who can meet the requirements. DOT regulations, demographics and the drug testing programs at many companies have combined to create a shortage of qualified employees that is becoming acute in some areas of the country. The laws of supply and demand should work for us as we demand higher wages and better conditions, someone will have to supply them.

The business press is obviously worried. Yet another *Wall Street Journal* article states, "Labor shortages may also reduce the number of two-tier wage settlements," says Richard Belous, a labor economist at the Conference Board, a business research

group. "Such wage structures have been a nightmare for unions. They can be very divisive because new hires are paid less than senior workers. Last year, the number of two-tier agreements dropped about 10% from 1985." The Vice President of Giant Foods, Inc. has said, "Labor shortages have loosened our purse strings. Lower paid employees can go right down the street to the nearest retail outlet and get a job." Are you listening, Mr. Presser and Mr. Bunte?

Changes in the political scene, a Democratic Senate, support from people who are not traditional union allies, and defensiveness on the part of business are all factors which could strengthen the labor movement. Some important legislation is being pushed through this session of Congress and in June, the Supreme Court even began reversing defeats for labor by upholding a requirement that following a corporate takeover, the new owner must bargain with the union covering the predecessor's employees. Any help from Washington will be essential if we are ever going to turn the corner on our troubles and deal once more from a position of strength.

Equally important is how the gen-

eral public feels about unions. Once again from the *Wall Street Journal*: "Signs are emerging that the long free fall in the influence and prestige of organized labor is ending and that unions may be nearing a resurgence. Worker appeals for organizing are the highest in years, union officials say.

In our own union, UPSers have shown a willingness to fight back despite pressures from the company and the union, by turning down their contract by a 51% vote. We can do better in freight. We need to organize and clearly state our needs in the next contract. The International could take advantage of the better position of labor and begin a push to organize non-union freight companies during the next year. By doing so, it would send a message to management that would be unmistakable: we mean business.

These factors, along with others, show we are in a potentially better bargaining position in 1988. But in order to be successful, we need the help of all freight Teamsters. Join TDU today and become part of a team that is working hard to return the Teamsters Union to forefront of the American labor movement.

Road Drivers Should Demand Voluntary Shorter Work Week in Next Freight Contract

Years ago when the Department of Transportation (DOT) determined that the maximum hours of driving and service that a road driver could safely perform was 70 hours per week, little did they know that they were creating a situation that would lead to unsafe highways due to driver fatigue.

Trucking companies looked at this DOT regulation and interpreted it by turning the maximum amount of hours into the minimum amount of hours. Companies call this practice "total utilization," they demand this amount of work from each driver to save the cost of hiring more drivers. This practice caused a drug dependency problem starting as long ago as 25 years. It is common knowledge and practice that road drivers were taking those little white pills to stay awake and keep on schedule on the grueling 70 hour work week. What effect has this had on the road driver?

- Drug dependency and alcoholism rank high among road drivers. Medical and insurance records show that an incredible amount of money is spent each year for hospital stays to rehabilitate Teamster members. Accidents involving large trucks are way too high and getting worse.

- Poor health, both emotional and physical, result from overwork. The divorce rate is high and getting worse.

Unlike most industries where a person is paid time and half for work performed after 40 hours, the road driver earns the same rate of pay for the 70 hour work week. (Many municipalities are currently being sued or taken to court to halt this practice.)

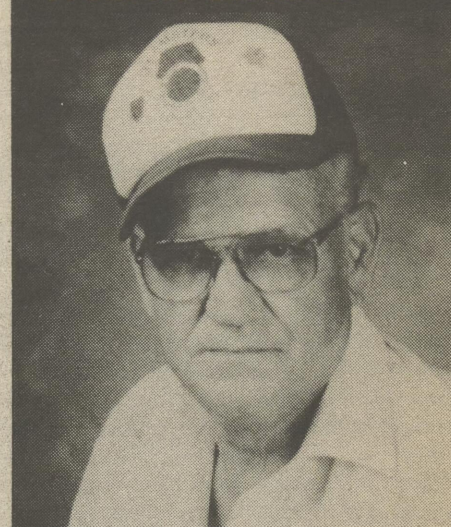
What Is the Solution to this Problem?

Demand and win rules in the next

contract stating that any time over 50 hours shall be strictly a voluntary choice of the driver to work or not with the counting time beginning on a Monday morning at 00:01 hours, with no disciplinary action to a road driver should he choose not to work over 50 hours per week. Many road drivers will choose to remain working the full 70 hours due to their own financial responsibilities. This will be their choice.

With the new increased speed limits on interstate highways, drivers will be able to cover an amount of miles that should not financially cripple comp-

From N. Carolina



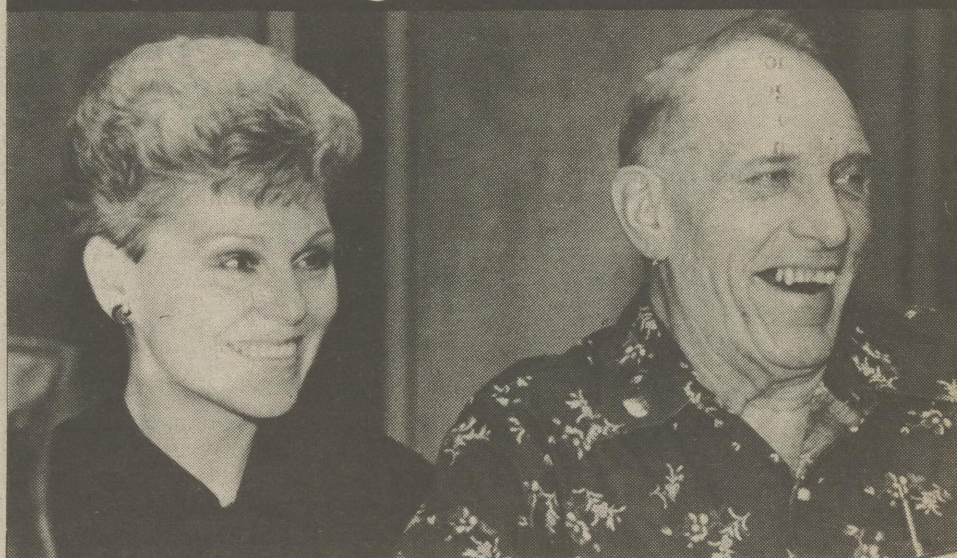
Jim Trammell
Dallas & Mavis
Steward, Local 71
Charlotte, North Carolina

I'd like to take this opportunity to say hello to my brothers and sisters in other parts of the country, and to thank TDU for the help they have given us. I can say that TDU has been there with advice on grievances and legal questions. That's a reason why I think it is important to be at the rank and file convention, and I would like to invite other concerned Teamster members to be there on October 10 and 11.

anies should the driver choose to work only 50 hours per week. We must inform our negotiating committee to demand these changes.

If this Teamster negotiating team fails to hear or act on our request, then we will be forced to take our complaint directly to the Secretary of Transportation, Elizabeth Dole, for a complete revamping of DOT regulations concerning the 70 hour work week. This may result in new policies that would be detrimental to the survival of many companies. We don't want this. We can solve this problem within our union bargaining committee.

They're Coming From Colorado



Roy and Diana Ray
Northwest Transport
Local 961, Denver, Colorado

We are looking forward to meeting new people at this year's convention and renewing the friendships we made at last year's. The convention is one place where everyone works together and you get a real feeling of belonging.

Eastern Road Casuals:

Casuals To Collect Millions in Back Pay

As reported earlier in *Convoy*, the casual road pay issue is now resolved in the Eastern Conference. Now hundreds (or even thousands) of casual road drivers are due money, in some cases several thousands of dollars. The total back pay owed will run into the millions.

The agreement reached in the East provides that all employees who have worked as road casuals (and were paid less than full union scale) since April 1, 1985 can file a grievance for the money they are owed. Grievances must be filed within 90 days of August 24, 1987 or by mid-November. Grievances filed after that will be ruled untimely.

Any drivers who are not sure whether grievances have been filed to cover their lost wages should file one immediately by certified mail. Request in the grievance to "be made whole for all moneys lost through payment at a

'casual road rate' from April 1, 1985 to the present." If you worked for a number of different carriers, file a grievance for each. Make sure to keep a copy of your submitted grievance.

Casuals who fear reprisals over filing grievances should ask their steward or business agent to file a blanket grievance for all affected employees. The local can do this and provide the names and social security numbers of those owed back pay.

This victory covers only casuals paid the bogus rate of pay. It does not cover new hires under the 70% clause. According to the NLRB, Southern Conference drivers were sold out by the negotiating committee. TDU is pursuing action that will hopefully result in the same happy ending in the South. Anyone desiring a copy of the documentation on this matter should contact TDU or their local union.

Is a Wage Cut Proposal in the Works at Transcon?

Rumors are flying that a wage cut is in the works for Teamsters at Transcon. Apparently the deal is to end the ESOP in effect at the carrier (88% of the employees took a 12% wage cut in late 1983) and to "offer" three options for giving up wages and/or benefits.

The first option would be a straight 20% wage cut, or about \$3 per hour. The second "option" would be to take a 17.5% wage cut, give up a week of vacation, three holidays and a sick day. Finally, there could be an offer of a 17.5% wage cut coupled with the loss of two weeks vacation time.

Transcon officials have held meetings with employees in Chicago, Salt

Lake City, Omaha and other areas in the initial attempt to soften up employees for this knockout blow. Recent management memos have also spoken about further concessions and getting out of the National Master Freight agreement. It's reported that Transcon officials will be meeting with International officials in Washington, DC on September 9.

If Transcon wants these significant concessions, they must negotiate with the International, the agreement put to the members for a vote. Unlike regular contracts, mid-term contracts require only a simple majority vote to reject or accept.

Good Use For A Bad Clause

Article 63, Section 2 of the Western States Area Pick-up and Delivery Freight Agreement provides a way to use the infamous "70% clause" to union advantage, but only when a local is willing to do some work on it.

The Western States contract states that employers must pay a full 100% scale unless they "hire fifty percent (50%) or more of new hires and casuals through the Local Union hiring hall or referral system." Only those employers who hire 50% or more (both new hires and casuals) get the 70% deal.

On a few occasions Local Unions have taken employers to the committee on this, and the committee has remanded it back to the local and company to work out, with a warning that they will slap the full 100% clause on the company unless they comply. Unfortunately some locals and business agents are better at making excuses than enforcing it. When Sacramento Local 150 officials were pushed on this matter, they made some dandy excuses but produced no positive action.

They're Coming From California



These members of the High Desert TDU Chapter in Southern California are just some of the many members who will be travelling from the West Coast to this year's convention. Pictured above, from left to right, are: Roger Parsons, Scott Askey, Greg Glueck and Gail Isennock.

Buyout, ESOP, Were Demise of Smith's

A recent report prepared by the IBT Information Center documents the strange twists and turns at Smith's Transfer and virtually lays the blame for the company's demise on a leveraged buyout of the parent company (ARA), and on the Employee Stock Ownership Plan (ESOP).

The story starts in 1979 with the merger with ARA Services. At that time Smith's became a fully owned subsidiary of the giant conglomerate, operating under the transportation segment of ARA. In 1984 ARA was a public company. Management devised a scheme with other investors to buy ARA and make the company privately owned. Stockholders not involved in the deal were offered cash or newly-issued debt instruments of the new company.

In other words, the newly held ARA was buying off previous stockholders with guarantees of future payments through an elaborate debt restructuring. The buyout of Smith's was valued at over \$1 billion — too expensive to buy outright, and making necessary the debt restructuring. Smith's was saddled with \$65 million of this new debt.

A common practice in many leveraged buyouts is that assets of profitable subsidiaries are sold. In fact, a number of perfectly sound companies have gone under when corporate wheelers and dealers unload them to repay the outstanding debt.

In December 1985 the ESOP was implemented. In the prospectus the company stated the ESOP was necessary to permit Smith's Transfer to generate the cash flow needed for fleet replacement, terminal expansion and to maintain operations at current levels over the next five years.

The company promised to invest from \$120 million to \$150 million in property and equipment over the next five years. However, implementing the ESOP was illegal until the debt owed to former ARA stockholders could be readjusted. Smith's now owed the money back in five years at the tune of \$13 million per year. The ESOP was also dependent on other debt restructuring of money owed by Smith's to ARA. The ESOP went through and Smith's long-term debt increased after the ESOP from \$11 million in 1984 to a whopping \$49.5 million in 1985. Hardly the way for a company to "remain competitive." The effect of the leveraged buyout sent Smith's retained earnings to a loss of \$12 million in 1985 compared to a \$37 million profit in 1984.

Despite this, company officers who made \$117,385 per year before the ESOP received an average of \$202,380 in 1986 — a 72% wage increase. This is in comparison to the 15% cut taken by most employees. On top of that, the company's promise to get new equipment, new terminals and operate at current levels was a lie. More units were retired than purchased in 1986. The workforce was reduced, and terminals were sold. The whole deal was a sham.

Fortunately, Smith's workers haven't suffered the same fate as workers at Suburban, Murphy, System 99 and others who went down the tubes. Smith's was sold to American Carriers, parent company of American Freight Systems. Plans are to integrate American Freight, Smith's, USA Eastern, and non-union USA Western. The ESOP has ended at Smith's and employees are awaiting an evaluation of their "stock," which will repay them very little on their investment.

This story of corporate deception is sad but true. Hopefully some lessons have been learned on all sides.

Freight Lines

Albuquerque Yellow Drivers Losing Call-in Time?

Reports from road drivers in Local 492 indicate that on certain runs the company is requesting that drivers show up directly at the end of the eight hour rest to be ready to complete their runs. Drivers, who are regularly on a two-hour call, have complained that without their call time, the actual time for a driver to rest may be as little as four hours, creating a bunch of fatigued drivers. When complaints and grievances were registered at the Local 492 hall, drivers were told that the union had agreed to this procedure in a change of operations five years ago. All of this, of course, is news to the drivers. Is this another dry run of procedures which may be put in the next contract?

70-Hour Slavery in the City?

The TDU National Office has recently received several complaints regarding forced overtime in the city, on the dock and in the yard from several areas. In Allentown, Preston has been working city drivers 12 hours a day, and the dock and yard have been forced into 70-hour weeks, with no option to turn down overtime work. At PIE in Richfield, Ohio, regular seniority employees are being forced on their sixth day, while several laid-off employees sit at home. Group grievances are being prepared in several areas but, surprisingly, the Central States Supplement has no mention of "excessive overtime."

Many freight workers want and need the overtime. For those who don't wish to spend all of their time at work, they should be given the option of turning it down. We need stronger contract language against employer abuse and forcing of overtime in the next contract.

Now More Than Ever! TDU C

Friday's Events

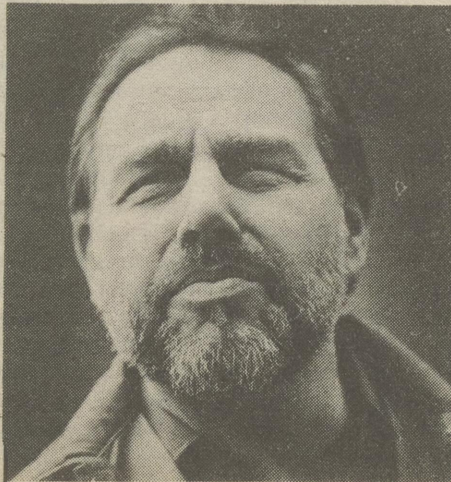
Hospitality Room Noon-5 p.m.
Early Registration 1 p.m.-5 p.m.
Special Leadership Session 1 p.m.-5 p.m.
Wives Reception 5 p.m.-6 p.m.
Video and Films 6 p.m.-7 p.m.
Dinner 7 p.m.-8 p.m.
Special Presentation: RICO and the Teamsters 8 p.m.-9 p.m.
 Historical overview of past government attempts to intervene in the International Union, what the current situation is, and what it means for the rank and file members.
CHAIR: Dan Campbell, Recording Secretary, Local 486, Saginaw, Michigan
SPEAKERS: Michael Goldberg, Professor of Law, University of Pittsburgh
Mike Friedman, Local 407, Cleveland
Diana Kilmury, Trustee, Local 213, Vancouver, B.C.
Reception and Cash Bar 9 p.m.-Midnight

Contract Meetings

Freight TDUers will meet twice during the convention to evaluate contract demands, set strategies and firm up plans for building the TDU freight committee.

Carhaul Teamsters will also be targeting their goals for the 1988 contract negotiations. New strategies for meeting new challenges will be taken up at these important meetings.

UPS Teamsters will meet to discuss the ongoing legal challenge to the 1987 contract. Attorneys and plaintiffs in the case will be present to discuss the case. There will also be time for discussion of ways to protect your job and to continue building the national UPS network.



Featured Speaker: Jerry Tucker, former assistant director of UAW Region 5 and a pioneer in developing and using "strikes on the job" and other new strategies for unions.

SATURDAY

COFFEE FOR EARLY REGISTRANTS 7 a.m.-10 a.m. in the Hospitality Room
REGISTRATION 8 a.m.-10:30 a.m.
SESSION I: Now More Than Ever 10 a.m.-Noon
CHAIR: Linda Gregg, Local 435, Denver
OVERVIEW OF CONVENTION: John Braxton, Local 623, Philadelphia
SPEAKERS: Gail Sullivan, Local 278, San Francisco
Scott Askey, Local 63, Barstow, California
Kevin O'Rourke, Local 294, Albany, New York
Anthony Smith, Local 639, Washington, DC
Bill Slater, Local 315, San Francisco
LUNCH Noon-1 p.m.
WOMEN'S CAUCUS Noon-1 p.m.
SESSION II: Workshops 1 p.m.-3 p.m.
 1) Running for Local Union Office
 2) Alternative Workplace Strategies
 3) Drug Testing: Knowing the Dangers, Understand Your Rights
 4) Leadership Training I
 5) Teamster Labor History
 6) RICO and the Teamsters
 7) Your Legal Rights On the Job and in the Union
 8) Using Newsletters and Publicity to Build TDU
 9) Your Pension: How to Understand It and How to Get a Better One
COFFEE BREAK AND VIDEO SHOWINGS 3 p.m.-3:30 p.m.
SESSION III: IT'S OUR ORGANIZATION 3:30 p.m.-5:30 p.m.
Chair: Pete Camarata, Local 299, Detroit
Organizer's Report: Ken Paff, TDU National Organizer, Detroit
Nominations for ISC: Tom Pizzuto, Local 863, Jersey City
SPECIAL EVENTS AND COCKTAIL HOUR 5:30 p.m.-7 p.m.
UPS Meeting 5:30 p.m.-6:30 p.m.
Freight Meeting 5:30 p.m.-7 p.m.
Carhaul Meeting 5:30 p.m.-7 p.m.
Films and Videos 5:30 p.m.-7 p.m.
Cash Bar 6 p.m.-7 p.m.
BANQUET with Guest Speaker Jerry Tucker, Leader of the "New Directions" movement within the United Auto Workers, and former assistant director of UAW Region 5 7:30 p.m.-9 p.m.
PARTY, MUSIC, CASH BAR 9 p.m.-1 a.m.
VOTING FOR INTERNATIONAL STEERING COMMITTEE 10-11 p.m.

Educational Workshops

Saturday

1) Running for Local Office. Designed specifically for members who plan to be involved in local union election campaigns. The workshop is presented by experienced campaign strategists and successful candidates.

2) Alternative Workplace Strategies. Today unions and union members are facing major attacks on their contracts and working conditions. Fighting back means creating new strategies as well as reviving some old ones. "Working to rule" and other successful strategies will be examined in this workshop by shop-floor and union leaders who have made them work. Jerry Tucker, leader of the UAW's New Directions movement, will lead the workshop and discuss his union's successful in-plant strategies.

3) Drug Testing: Know the Dangers, Understand Your Rights. Successful TDU action stopped drug testing in carhaul and helped prevent it in the UPS contract, but Teamsters in freight and other industries are still faced with the program. Learn about the dangers, your rights, and how you can best fight unjust discharges.

4) Leadership Training I: Getting TDU Off the Ground In Your Area. How to build TDU's reputation, recruit members, carry out campaigns and organize effectively. This workshop is designed for members from newer chapters or areas.

5) Teamster Labor History. A general overview of the history of our union will be presented. How did the union begin, how did it get to be the way it is, and where are we headed?

6) RICO and the Teamsters. This workshop will discuss the most recent developments on the government's use of the Racketeering Act, will give background to the stand TDU has taken, and will discuss ways of using it to promote the right to vote for our top officials.

7) Your Legal Rights On the Job and In the Union. This workshop is geared to newer members. It gives a basic working knowledge of your rights. Discussed will be rights as a union member, internal union procedures and rights under the Landrum-Griffin Act.

8) Using Newsletters and Publicity to Build TDU. This workshop will deal with

effective ways to publish newsletters, flyers, election materials and other literature. Special emphasis on getting the most for your time and money.

9) Your Pension: How to Understand It and Get a Better One. A look at the basics of pension and health-and-welfare plans, with the aim of learning how they work and what problems are most often encountered. Also, strategies for getting better benefits.

Sunday

1) Dealing With Stress On the Job, In the Union, and As an Activist. Explores the dangers of on-the-job stress, targets strategies for overcoming stress problems, and also discusses the stress that comes with being an active union member.

2) Understanding the Economy. Since de-regulation in 1980, massive changes have occurred in the trucking industry and the economy at large. What's ahead and how will it affect Teamsters? Attend this workshop and find out.

3) Discrimination. How to identify and combat discrimination on the job and within the union. Emphasis on developing effective and unifying strategies as well as legal action.

4) Road Driver Safety and Health. Discussed will be a number of issues, including longer combination vehicles, the new national driver's license, whistleblower laws and other road drivers' issues.

5) Leadership Training II: Reviving and Strengthening Chapters. On the road to building TDU and strengthening our chapters, members can encounter many twists and turns as well as roadblocks. This workshop addresses ways to overcome problems, survive in slow times, form alliances and revive older chapters.

6) After the Election, Win or Lose. Carrying out an election campaign is only the beginning. If you win, then the work begins on rebuilding your local. If you don't make it, it's crucial to set plans for consolidating your gains and regrouping.

7) Using the Grievance Procedure Effectively. Attend this workshop to learn the techniques that will increase your chances of winning a grievance. The workshop takes participants right through the grievance procedure and stresses ways that stewards and active members can educate co-workers on effective grievance writing, handling, and presentation.

Convention 87

SUNDAY

COFFEE AND VOTING FOR ISC 8 a.m.-9 a.m.
SESSION IV: JURISDICTIONAL MEETINGS 9 a.m.-11 a.m.

Freight and Cartage
UPS
Carhaul
Grocery and Warehousing
Local Contracts
Wives in TDU

BRUNCH: 11 a.m.-Noon

SESSION V: WORKSHOPS Noon-2 p.m.

- 1) Dealing With Stress On the Job, In the Union and as a TDU Activist
- 2) Understanding the Economy
- 3) Discrimination
- 4) Road Driver Safety and Health
- 5) Leadership Training II
- 6) After the Election, Win or Lose
- 7) Using the Grievance Procedure Effectively

SESSION VI: THE ROAD AHEAD 2 p.m.-3 p.m.

Chair: Joe Day, Local 170, Worcester
Introduction of the New ISC and Election of Officers

Getting to the Convention

This year's Convention will take place in Windsor, Ontario, right across the river from Detroit, Michigan. Accommodations will be available at the Windsor Hilton. All rooms have a great view of the river and Detroit skyline. Convention events will take place right next door to the Hilton at Cleary Auditorium. Inexpensive flights are available into Detroit Metro Airport from all major U.S. cities. Call a travel agent for best rates or ask TDU for help.

Van rides from the airport to the convention site are being arranged by TDU.

Details will be sent to all who register. In addition, other transportation is available, including:

- Chatham Coach Lines has five runs per day directly to the Windsor Hilton. Cost is \$12 U.S., and trips depart from the Airport Transportation Center Arrival Booth.

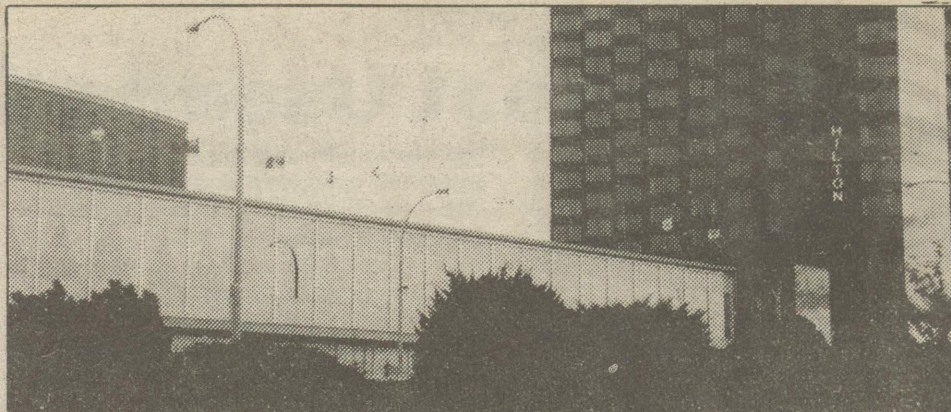
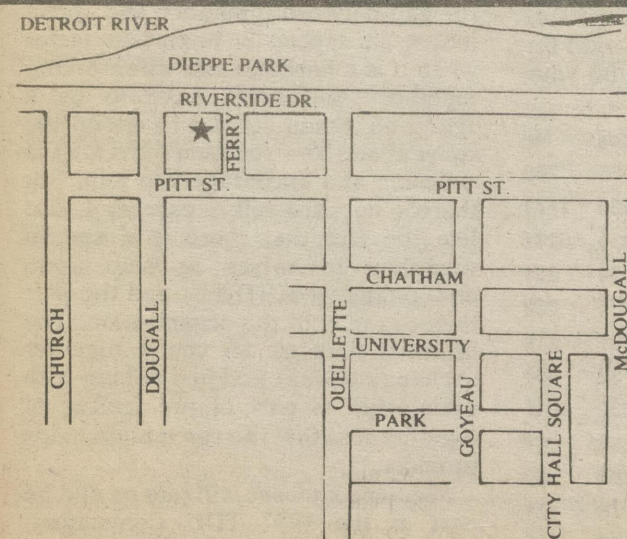
- Taxi service from the airport will run about \$30 for up to four people in a cab. While expensive for one, this may be practical for small groups arriving together.

If you are driving to the convention, the Hilton and Cleary Auditorium are on Riverside Drive in downtown Windsor. Take Ambassador Bridge exits off either I-75 or I-96 in Detroit. After crossing the bridge, take Wyandotte east to Oulette south. Then take a left onto Riverside, and the Hilton is on your left. From the tunnel, take Wyandotte to Oulette south, then left on Riverside.

See You There!

October 9-10-11

Windsor-Detroit



Cleary Auditorium and the Windsor Hilton, as seen from Dieppe Park.

Special Events

Friday Afternoon: TDU: Evaluating the Past Year and Planning for the Coming Year. This session will review our progress in the past year and evaluate our strengths and weaknesses. Included will be a look at the coming year and discussion of what our priorities should be and what we can expect.

Special Film and Video Showings: Three informative video presentations will be featured. A new hour-long film, **Final Offer**, provides a unique behind the scenes look at 1984 negotiations between the Canadian Auto Workers and General Motors. Also featured will be **Labor's Turning Point**, the award-winning documentary of the 1934 Minneapolis Teamsters strike, and a compilation of various news stories on TDU within the past year.

Quilt Raffle: A TDU Convention would not be complete without Frances Adcock's lovely hand-sewn quilt for our annual Quilt Raffle. Frances has gone all out with this year's beautiful "log cabin" design quilt in shades of rose, coral, pink and brown. The lovely quilt is bordered with a folded point pattern. Second prize this year is a handmade afghan in beautiful emerald green and white, made by Sarah Bequette. The border has long fringe done in white.

You won't want to miss out on your chance to get in on the 1987 Quilt Raffle. To order tickets in advance, call the TDU National Office. Suggested donation is \$4.00 for a book of five tickets.

Register Today

REGISTER NOW... SAVE \$10!

Postmark your registration no later than September 23 and receive \$10 discount (\$5 if for one day). See below for travel discounts that may also apply.

CONVENTION REGISTRATION

Includes cost of all convention materials, meeting space, coffee breaks, meals, and Saturday banquet and entertainment (cash bar extra). Additional charge for Friday registration.

HOUSING

Reserve rooms through TDU at special group rate. All rooms \$65 per night (tax included) either single or double. If sharing cost of room, please indicate other party.

CHILDCARE

Must be reserved in advance. Cost covers all meals and outings. Please give name(s) and age(s).

MEMBERSHIP

If not a member of TDU, join today. Membership includes subscription to **Convoy-Dispatch**.

DISCOUNTS

For early registration and travel discounts for Teamsters and spouses. Enclose full payment or 50% deposit to receive early registration discount. Discount does not apply to Friday only registration.

Mastercard/Visa: # _____

Exp. date _____ Signature _____

TDU invites all Teamsters interested in defending our contracts and reforming our union to join us and attend the convention. We do reserve the right to exclude those who are opposed to TDU and its principles.

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone () _____ Co. _____

(if registering for others please include same info.)

		# of People	
Sat. & Sun.	\$79 x	_____	= _____
Sat. Only	\$49 x	_____	= _____
Sun. Only	\$35 x	_____	= _____
Fri. reg.	\$20 x	_____	= _____

Total Registration Cost = _____

_____ Single room
_____ Double room (with _____)
_____ Fri. _____ Sat. _____ Sun. _____
of nights _____ x \$65 = Housing Cost = _____

		# of Children	
Sat. & Sun.	\$20 x	_____	= _____
Sat. Only	\$15 x	_____	= _____
Sun. Only	\$10 x	_____	= _____

Childcare Cost = _____

_____ \$25 — one year membership
_____ \$60 — three year membership
_____ \$15 — spouses, retirees and Teamsters
grossing less than \$12,000 per year

Membership Cost = _____

TOTAL COSTS = _____

_____ \$10 if postmarked by Sept. 23 (\$5 one day)
_____ \$10 travel over 500 miles one way
_____ \$20 travel over 800 miles one way

Total Discount = _____

Costs minus discounts = _____

Amount enclosed = _____

Balance due = _____

Should Be Tool of Strength

Strike Threat Used to Divide Us

The recent UPS contract bargaining poses some interesting questions regarding the effectiveness and the wisdom of the union using its economic power to win better wages and conditions. What was apparent, from all sides, was a general fear of a strike—by management, by the International and by some UPS Teamsters.

One thing is certain, nobody likes to strike. Losing out, even temporarily on a paycheck can set back a family on a tight budget. Fears about scab herding, plant closures and bankruptcies are legitimate, and need to be weighed

heavily before making the decision. But when you get right down to it, the strike has been the primary and most successful weapon developed by workers to force employers to recognize unions, raise wages and bring up conditions.

There is a current of thought running through the labor movement and among many union members which says, "Our company is just waiting for us to strike. Then they'll hire replacement workers, or move to a non-union state, or simply shut the doors. Therefore, the strike is not an effective weapon." These may be legitimate concerns for a number of situations, but for many Teamsters, especially those under National Agreements, this is simply not the case.

UPS's main threat to employees during the contract ratification (and Presser's) was that a strike would be called if the contract was rejected by 2/3rds. The goal was to scare people from voting no. Instead of using the threat of a strike to gain a better contract, the International chose to divide the workforce and play on peoples' fear of a strike. In other words, they weakened our main tool for gaining a decent contract.

Let's look at this situation a little closer. In the event of a strike, UPS would have been instantly paralyzed.

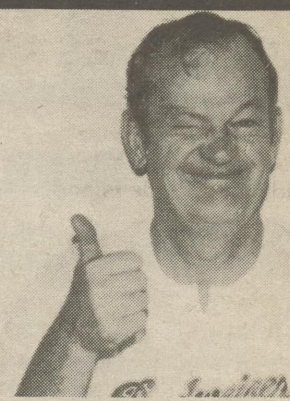
They could not afford to lose even a few days business or what could have been a permanent loss of business to other carriers. The company would have been unable to utilize scabs as that would involve recruiting a scab workforce, training them and getting them to cross picket lines. By the time any plan could have been implemented the company would have already suffered serious losses. UPS management may be mean spirited but they are not stupid. Would the company have gone bankrupt? Not a chance. Remember, this is the most profitable transportation company in the world. They certainly couldn't move to a "non-union environment." What becomes clear is that the union had an ideal bargaining situation.

Strikes Do Win

The fact is that well-planned, well-organized strikes do win. Cannery workers in Watsonville can testify to the fact as can carhauers who successfully struck in 1985 and gained a better contract in three weeks. A recent Teamster strike at Indiana Sugar in Gary, Indiana, which lasted four days, stopped a \$1.75 per hour wage cut and won a 50c raise—20c more than the UPS agreement.

Strikes do work, when the union is in a strong position and when they are

From Los Angeles



Dick Bradford
Anheuser Busch
Branch Chairman, Local 896
Los Angeles, California

The more I get involved in my local union, the more I realize the need for education and communication among rank and file Teamsters. We've been waiting for the other guy to do it too long. We have to realize that it is up to us to make our union work for us.

well planned and executed. They're a tool developed by workers and their unions to exert power and win, not a tool of the employers to weaken and divide us. A union without the right, or the will, to strike is severely limited. A union without the heart to take economic action when it is possible is hardly a union at all.

From Boston



Neal and Roz Henderson
Steward, Star Market
Local 25, Boston, Massachusetts

We will be there because we believe in strong reform of our union and better contracts for our families. It's extremely important at this time, when the government is considering trusteeship of the International, that we all pull together and fight for the right to vote. We also need to improve our pension and health and welfare benefits.

TDU Spouses Speak Out on Their Role at the TDU Rank and File Convention

The 12th annual TDU Convention will be held in Windsor, Canada this year. Spouses are always welcome at it. We hope you will want to be a part of these events. Here are some of the reasons, as given by TDU spouses, for you to attend.

Patty Cloward from the Atlanta chapter says, "My first convention

was attended out of curiosity. I came to see what TDU talked about that could interest me as a woman and a working woman. Women have been in the labor force for a long time, but I know for a fact that when it comes to discussing our rights, it's not so easy. A father will sit down and talk about what happens at the plant or the mill with his son, but how often do dads and daughters have the same discussion? Now more than ever, women are

part of the workplace. They are sometimes the sole supporter of their family and need to know and understand their rights in the union and workplace."

Another spouse and TDU member, Sarah Bequette from St. Louis says, "Wives need to realize the importance of a wife coming along with her husband to the convention. There are many questions answered, like pension and health and welfare questions wives may have difficulty getting from other sources. A wife's input and sharing experiences, fears and concerns are important. A definite feeling of camaraderie prevails. The convention sets an atmosphere of mutual support among wives and between them and their husbands. Attendance by all is important because it helps to dispel misconceptions about TDU and the Teamsters in general, helps bridge the gap between ignorance and knowledge, an especially important factor when it is a husband and wife working together. You don't have to be a 'gung-ho' union activist to attend the convention. New members are always welcome and encouraged to join, but there's no hard-sell pressure. I also like the fact that there is a special workshop for wives to help them understand what TDU is, and the part they can play in the organization. The informal time we all spend together exchanging ideas and just talking with each other is part of the feeling of togetherness that the convention helps promote."

We hope spouses will join us and be part of the 1987 TDU Convention. Please feel free to give the Detroit office a call for addition information.

Grocery News

Subcontracting Stopped in Oregon.

Local 324 Super Valu drivers in Salem, Oregon are saying "no" to subcontracting. The local is only a year into a three-year contract which pays drivers 27c/hour, with a permanent two-tier for new hires. Not satisfied with this, the company has confronted the local with a demand to use non-union drivers on routes which nobody volunteers for. This is in direct violation of the contract, which reads, "If an insufficient number of employees volunteer for (the) workweek, employees shall be scheduled beginning with the least senior employee." Super Valu's attempt to test rank and file willingness to fight has met with strong resistance. At a recent local meeting, the mid-contract proposal was solidly voted down. The battle may not be over though, and Local 324 drivers are keeping a careful eye out for future company attacks on the contract.

Kroger Lawsuit Meeting at TDU Convention.

At next month's TDU Convention in Windsor, attorney Ann Thompson will hold a special meeting for Kroger employees who are being denied credit by Central States for years of employment prior to 1971. Ms. Thompson is making plans to file a lawsuit on behalf of these employees, so that they can collect the top pension benefits offered by Central States. Many Kroger Teamsters have already signed up as participants in this lawsuit. If you have not signed up but are interested in protecting your pension rights, contact the TDU office immediately, and make plans to be at the TDU Convention.

UPS Contract Vote Counts

UPS members in a number of areas have obtained the vote counts for their local unions. Following here are the counts currently available. As more are received we will publish them. Every local union has this information. Ask your local officers for the count for your local and other locals in your area.

Local	Yes	No
25 Boston	85	280
177 New Jersey	830	1771
804 New York	331	3087
623 Phila., PA	54	221
384 Suburban Phila.	254	322
317 Syracuse	191	316
710 Illinois	1732	885
344 Wisconsin	1092	1017
22 Collinsville, VA	123	67
29 Crozet, VA	184	50
171 Roanoke, VA	78	181
322 Richmond, VA	113	249
822 Norfolk, VA	38	211

UPS Lower-Tier Part-timers:

How to Stop Unjust Dues Rates

Tom Toegemann
United Parcel Service
Steward, Local 251
Providence, Rhode Island

It was a long fight but that made victory all the sweeter. Nearly one and a half years ago a couple of newly hired (lower wage rate) preloaderers at the Warwick UPS center and myself met to discuss what could be done to get dues lowered for the growing number of \$8 and \$9 per hour members. After investigating, a petition was drawn up asking that the local lower their dues rate to two times their hourly rate.

Nearly every preloader signed the petition. It was then sent to the two-light shift where it "mysteriously" disappeared. Local 251 Recording Secretary Al Arujo just so happened to be the appointed steward on this shift. After this momentary setback another petition was drawn up. Signatures were collected from the preload and two-light shifts and from feeder and package car drivers. In just one day 274 members signed the petition, including many not affected by the dues rate problem. Needless to say, Al Arujo refused to sign.

In late October 1986 a copy of the

petition, along with a cover letter, was sent to Secretary Treasurer Gerald Blinkhorn (a former UPS BA) and the entire executive board of the local. Their response? In November they raised dues from \$29 to \$30!

After the dues hike I decided to write the Big Man, (no pun intended) Jackie Presser. A reply from IBT Secretary Treasurer Weldon Mathis came to Blinkhorn on December 5, 1987. Mathis asked, with all the power of the IBT behind him, "would you please check further into this matter and forward a report of your findings to this office at the earliest date."

In early January the executive board turned down the request by 274 members for the dues reduction. My next step was to do research in a law library. In early March I sent a letter to Blinkhorn and the executive board asking them to "justify the setting of the dues rate, in violation of the procedure prescribed" by the Local 251 bylaws, the IBT Constitution and federal labor law.

We then made a flyer calling for a "dues rally" to take place at the March local union meeting. The rally went off well, and a meeting with Blinkhorn was set up.

In the meantime TDU attorney Mark

Stern sent a letter to the Local 251 Executive Board detailing the legal obligations and probable embarrassment for the board if the dues issue had to be brought into district court. I also dug up a legal case where a local union and a company were sued for using dues checkoff to collect an illegally-set dues rate. This was shown to UPS management as a way to increase bargaining strength with the local — knowing the last thing UPS wanted was to get dragged into court over this.

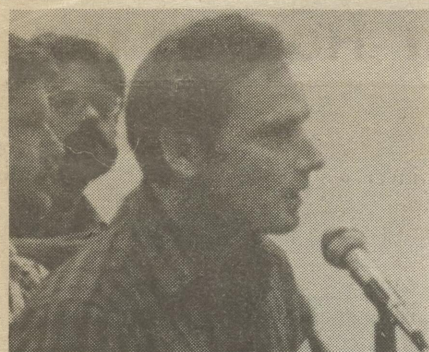
The happy ending occurred after yet another denial by the local. Finally, on June 29, 1987 a notice was posted at UPS' Warwick center stating that "through the efforts of Brother Tom Toegemann and myself it has been agreed and worked out that the dues rate will be twice the members' hourly wages." This was signed by Gerald Blinkhorn.

For more information on what your correct rate of dues should be and how to get illegally high dues rates lowered, contact the TDU office.



During the UPS contract vote, hundreds of TDUsers worked hard against the offer. None were as creative as Georgia TDUser Bill Willingham, who wore an Uncle Sam suit while distributing literature. What would Uncle Sam say about the majority's will being ignored?

From Oakland



Doak Jones
United Parcel Service
Local 70, Oakland, California

In the last several years, I have seen the national UPS network grow dramatically. The fact that we were able to break the 50% mark on the recent contract vote shows that we are now able to mobilize a majority of UPS Teamsters. If we've made it

this far, I am certain we can keep growing to the point where we can turn back bad contracts (like this one!) by getting over two-thirds to vote no. Step by step we are getting there and TDU is doing everything possible to help.

I have been to several TDU Conventions, traveling each time from the West Coast to be there. It is more than worth it, and that is one reason I will be back at the Convention this year. Another reason is that I think it is urgent for all rank and file Teamsters, UPSers and others, to show their support for TDU at this crucial time. We can get rid of the two-thirds vote on contracts and turn our International Union around but no one else is going to do it if we don't. Join myself and hundreds of other concerned Teamsters at the Convention. You'll be glad you did.

UPS Contract Continued...

from page 1.

stronger position. If organization keeps growing at UPS, even more will be possible in the future.

Hard Lessons

Perhaps the hardest lesson of the events surrounding the UPS contract is to see again how out of touch our top officials are with the membership. Despite membership surveys, local union surveys, workshops and meetings, the International negotiators completely missed the boat. When hundreds of local officers met in Chicago in July to hear the contract offer, only three took a stand against the agreement.

Those three were speaking for the

majority, it has now been proven. At that meeting, they were heckled and booed by other officers. Apparently the vast bulk of local officers think they work for Presser, not the membership. Otherwise, why is it that when 51% of the members vote no, only 3% of the officials feel the same way?

TDU will be doing everything possible to challenge the unjust and unwanted UPS contract. Legal action will hopefully help to overturn the pact, but the biggest lesson of these organized membership activity. Every year we grow stronger and more unified. Let's not stop now. Let's keep building a powerful, national movement of concerned Teamsters. If you agree, join and support us today.

UPS and Downs

Mississippi Part-timers Win Dues Reduction and Refund.

In August Mississippi Local 891 part-timers found out that their request for a reduction in the dues rate had been agreed to by the local executive board. TDUsers in a number of areas have spearheaded efforts to reduce dues rates for lower-rate, part-time members (see article this page) but this is the first case we've heard of where a refund has been given. Also, an interesting statistic was revealed during their effort—that of the 497 part-time members in the local, 362 are union members. (Mississippi is a right to work state.) This works out to 28% who are not in the union.

Purolator Courier Kicks Off Ground Service.

A new service is being offered by Purolator Courier to compete with UPS and RPS standard ground service. Called "Standard Regional Service," it is designed for shipments moving roughly 600 miles from point of origin. Two day or less delivery is promised, and rates are supposed to be competitive with UPS rates. The service utilizes various high-tech hardware like computerized shipping consoles. Initially it will only be available in some Northeastern states, Virginia, and west to parts of Illinois and Kentucky. UPSers beware: parcels weighing as much as 125 pounds will be accepted. Can a weight increase be on its way for us?

Progress in New England Pension Lawsuit.

On August 3, U.S. District Court Judge Rya Zorbel ordered the New England Area Pension Fund to release information needed to carry out an actuarial study of the fund. The ruling came as a result of a lawsuit filed by a rank and file group, the New England Teamsters Pension Improvement Committee (NETPIC). NETPIC has organized UPS Teamsters throughout New England in an effort to get improved pension benefits. The fund now has until December 21 to hand over to NETPIC all of the information they need for an actuarial study.

Addition Slated for Air Hub.

On the eve of Founder's Day, UPS announced plans to build a \$16 million addition to the Louisville Air Hub. Building is scheduled for completion in November 1988. Currently over 60 flights come in and out of the hub daily. Isn't it nice to know the concessions UPS got in this contract are being used for something?

Illinois/Indiana Ten-Minute Break Ripoff.

Drivers are waiting to see their paychecks, but UPS appears to be pulling a trick they have tried in a number of other states—dictating when and where feeder drivers can take their breaks, and thereby reducing daily overtime. Some drivers could be losing up to \$13 per week. Illinois and Indiana feeder drivers should contact the TDU office with more information on this problem.

Stiff Membership Resistance to Leaseway Contract Challenge

Leaseway carhaul management's latest challenge to our contract and our union has met the stiffest resistance yet from angry members. The battle centers around Leaseway's Anchor and NuCar operations at the Selkirk, New York railhead. In late July Local 294 Anchor drivers took a lead against Leaseway's effort to rewrite dispatch rules throughout the conference. Following the drivers' written demand for a vote on any changes, the proposal was put on the shelf.

Stung by this challenge, manage-

ment's next move was aimed straight at the Selkirk Anchor drivers, although it will affect every carhauler before long. On July 29, Leaseway's newest contract buster, Bruce Jackson, informed the Anchor drivers their terminal would be closed as of September 1, because NuCar, a wholly-owned Leaseway subsidiary, had underbid for the GM rail freight in Selkirk.

The drivers quickly mobilized. They knew their terminal had made over \$1 million in 1986. Management's move was motivated by greed, not necessity. It was an effort to sidestep the Anchor local rider. It seemed to be in retaliation for asserting their rights in management's previous concession scheme.

Collections were taken to obtain independent legal advice and the drivers worked closely with their local to develop the best possible case. A leaflet explaining the situation went to

other Eastern Anchor terminals. A bus was chartered so that all drivers could attend the Eastern Conference grievance hearing on August 25 in Allentown, PA.

At the grievance hearing, Anchor drivers from Framingham, Wilmington and Baltimore showed up in support. Unfortunately, a motion to allow all interested parties to hear the presentation of the cases was deadlocked. So the members, but not the officials, from other locals were kicked out of the hearing room. What followed made clear why management wanted no outside observers.

Leaseway's spokesman, Bruce Jackson, was questioned sharply by several union panel members. It became quite clear that NuCar and Anchor management were not independent, competing operations. The only competition that interests them is between Teamster members.



The panel deadlocked on whether Leaseway's move violates Articles 1 and 33 of the contract. They turned down the drivers request for a "stay" until the issue can be decided by the national committee. The panel gave management the right to run the operation under the NuCar local rider and with a seniority list which is merged on a one for one basis between NuCar and Anchor's lists.

The Selkirk case is the latest where management has used one subsidiary against another to undercut the contract. In the CCI/FJ Boutell case covering Alante traffic and in the Jupiter Transportation cases in Springfield and Allentown, our top union officials have so far failed to confront this issue effectively.

If management is allowed to have a charade where it bids against itself, using NuCar to underbid Anchor or vice versa, there is no terminal or local in the country which cannot be manipulated into giving concessions eventually. The result would be a downward spiral for everyone.

The downward spiral will stop when rank and file Teamster carhaulers are organized and united enough to stop it. That's the job we'll be working on at the TDU Rank and File Convention October 9-11. If your terminal does not have a delegation there, you are trusting your job to top union officials whose record is not good. See you there.

TDU Meets

Long Island

Sunday, September 13
12:00 noon
Topic: Arbitration
Muffins Restaurant
789 Conklin Av.
6 blocks west of Rt. 110
Farmingdale, NY

Nashville

Sunday, September 13
1:00 pm
Monday, September 14
9:00 am and 4:00 pm
Holiday Inn
Elmhill Pike (off Briley Parkway)
Nashville, TN

New Jersey

Sunday, September 27
11:00 am
Topic: Drug Testing
Rutgers Univ. Labor/Mgmt. Ctr.
Ryder's Lane, west of Rt. 1
North Brunswick, NJ

New York City

Saturday, September 12
10:00 am
Topic: Safety and Health
Brooklyn YWCA
30 Third Av.
Brooklyn, NY

Sacramento

Saturday, September 26
10:00 am
Clunie Community Center
601 Alhambra Blvd.
(in McKinley Park at F St.)
Sacramento, CA

San Francisco

Saturday, September 12
10:00 am-12:00 noon
Potrero Hill Neighborhd. House
953 Deharo St.
San Francisco, CA

Southern California

For meeting information contact:
Southern Cal. TDU
Box 1868
Lynwood, CA 90262

St. Louis

Saturday, September 12
Educational Conference
10:00 am-2:00 pm
Ben Franklin Motel
4645 N. Lindberg
Bridgeton, MO

From Louisiana



Duane Tyler
Complete Auto Transit
Local 568, Shreveport, Louisiana

I learned a lot at last year's convention—from the workshops, attorneys and great Teamsters from around the country. This year's convention is especially important because our carhaul contract is up next summer and we've got to get ready. We'd like to be strong enough to get a really good contract instead of just protesting against another sellout. We've got a great start, but support from more and more carhaulers is crucial.

Only "Cooperation" Apparent in Carhaul is That Which Benefits Top Union & Management

Union and industry publications have been reporting on "seminars" being held for union and management to "improve cooperation." Usually they say that more trust needs to be established. So far it's pretty hard to see the results of these seminars out in the terminals.

But Detroit BA Charlie Lee did recently report a fact from one seminar that may explain some recent developments. Lee told Local 299 members that F.F. Reinhardt, head of all Ryder carhaul operations, had boasted about a new addition to Ryder management—the son of Janesville Wisconsin Local 579 President, Brendan Kaiser. Kaiser has lead the way in volunteering his members to haul other local's traffic at substandard terms.

Meanwhile, in the Eastern Conference, Baltimore Anchor drivers report two managers are moving up. A clerk at Jessup, Maryland Anchor, Pat Shea, has reportedly moved over to Leaseway's Jessup NuCar terminal as safety director. You guessed it—Shea is the son of our own Walter Shea.

Over at Leaseway Motorcar in Dundalk, Safety Director Duane Herbert is reportedly leapfrogging other management in the promotion race.

We are told Herbert is fortunate to have as his uncle Morand Schmidt, the union's Eastern Conference carhaul boss. Schmidt's cooperation and communication with management has for years been viewed by members and BA's throughout the conference as one of this century's great acts of charity. A cynical few believe more than charity is involved.

Long Beach Local 692

Sad news these days out of Local 692 in Long Beach. First, Port Terminal Transport has a new #1 driver. The grievance committee gave full credit to the thirteen years Mel Birdsell worked in management when he went back to driving, even though the leave of absence granted by a Local 692 official was not and would not have been approved by the grievance panel. What are these guys thinking of?

In addition, management has unilaterally declared that some owner-operators shares will be reduced from 65% to 51%. Local 692 says it can't do anything about it, which is nonsense. The drivers' last BA was so bad, Local 692 got rid of him. He's now in management at the San Francisco terminal. Finally, the owner of the

company threatened to fire a driver who signed a petition to change into Local 63. That's a violation of the National Labor Relations Act.

CCI Fuel Tax Ripoff

CCI is repaying owner-operators in Chicago money that was deducted for fuel taxes that CCI never paid. The company deducted money from drivers for all miles driven in Indiana, but claimed a 10% exemption from the state for "non-highway use," hydraulic power take-offs.

The "over-deduction" was only discovered when Mary Kennedy, a driver's wife, was mistakenly sent a usually confidential Indiana state document signed by CCI official James Broderick.

When the document was revealed at a grievance hearing, the reaction of Ryder System's regional labor man, James Ackley, showed complete awareness of the document and its importance. Ackley and terminal manager, Joe White, did not offer embarrassed apologies; they angrily denounced the drivers' possession of this information. How many more thefts are hidden by documents that management won't reveal?

Legal Action Stops Nightmare of Sudden Benefit Cutoffs

TDU Wins Health and Welfare Victory

You've heard this story. A Teamster or one of their family members needs medical care. It comes time for the paperwork only to discover—too late—that the employer was delinquent on the health and welfare payments. The Teamster gets stuck with the bill. It used to be, "Tough luck, buddy," and the union trustees on the fund just went along with the scam.

Teamsters in the Central States won't have to go through this nightmare any more thanks to legal action taken by TDU which reached a successful conclusion in January. As attorney Tom Geoghegan explained, "It's a case where a group of Teamsters stepped in, filed suit, and won protections for thousands of other Teamsters. They also set a standard that other health and welfare funds, not just the Central States, may copy."

Features of the Settlement

The settlement of the case, filed by four TDU members, includes as its most important features:

- The Central States Fund cannot cut off benefits due to employer delinquency without a 30 day advance written warning sent to each affected Teamster. They must also send out a final warning. (Prior to this lawsuit, they were cutting off Teamsters with no warning at all—only a letter sent to the local union.)

Victory on 30-and-Out Reciprocity

Thanks to pressure from many rank and file Teamsters and legal steps taken by TDU preparatory to litigation, the Chicago-based Local 710 Pension Fund and the Central States Pension Plan have both agreed to grant reciprocal benefits on the 30-and-out pension. This means a Teamster with 30 contribution years combined between these two pension plans can get a pension of \$1,000 a month at any age, paid pro-rata by the two funds.

This change is a partial victory in TDU's drive to extend the 30-and-out pension, established in 1985, on a fair basis. Specifically, certain groups of Teamsters previously discriminated against by unjust restrictions have reason to be happy. Chicago-based carhauleders who were switched from plan to plan; UPS members in Kentucky, Michigan and Iowa who were switched from plan to plan; and all Teamsters (especially road drivers) who spent part of their years in 710 and part in CSPF due to changes of operations, all these Teamsters should now be eligible for 30-and-out, provided they have a total of 30 combination years in the two pension plans.

There still are unjust restrictions hurting other Teamsters. Hopefully these can be tackled as well.

The next time someone tells you "nothing can ever be done" to improve our union, tell them about this change. And then ask them to join TDU. Because we have a long way to go.

- The Central States Fund will allow any Teamster who is about to be cut off the option of self payment, at either the regular rate or under the reduced rate plan of \$30.50 per week. (Prior to this settlement, Teamsters were not allowed to self pay if their employer was delinquent. Now they can do so for up to 104 weeks.) If and when the fund later collects from the delinquent employer, the member will be reimbursed in full for the self payments. A member has 90 days from the date of the first warning letter to start self payments.

- The Central States Fund will not

Baltimore Local 557

Organizing for Better Benefits

Sometimes an issue arises in a local union that sparks interest and excitement that cuts across jurisdictional and other barriers, uniting even those with long standing political differences. Such is the case in Baltimore Local 557 where inadequate pension benefits have come under investigation by a broad group of concerned members.

There hasn't been an increase in benefits from the Local 557 Pension Fund since before 1979, even though contribution rates have continued to rise. The fund now provides benefits of \$334 per month at 20 years service and a maximum of \$574 per month at 30 years service. Local 557 members rightly feel that these benefits are far below those enjoyed by most other freight and carhaul Teamsters.

Tackling the problem and figuring out what to do was too big a job for individual members, but the Rank and File Committee and Baltimore TDU decided to see what could be done. Their first task was to find out how strongly members felt about the problem and see how many would help do something about it. To do this they distributed a flyer outlining the problems and asking concerned members to get involved in an Ad Hoc Committee to Improve Benefits.

Response was astounding. "We literally received hundreds and hundreds of responses from that flyer," Consolidated Freightways driver and local activist Herman Myers told CD. "It was the most popular thing I've ever seen undertaken in my 36 years in the union."

Armed with this response and technical advice from the TDU Washington Office and the Pension Rights Center the committee moved into action. "Basically, we wanted some straight answers from the trustees of the fund," Cliff McDonald, Assistant Steward at Carolina said. "We've been paying a lot into the fund and gotten very little out. We wanted to know why. With TDU's help we got a lot of information and had it checked out by an actuary, but we still weren't getting any answers."

Over 150 members turned out for the committee's first meeting in January, despite very poor weather conditions and false announcements that the meeting had been cancelled.

cut off Teamsters unless their employer is at least 45 days delinquent. (Prior to this suit they were cutting off people more readily.)

In 1981-82, prior to the filing of the suit, the Central States Fund was cutting off up to 20,000 Teamsters due to employer delinquency. If you've ever had to go through this problem, you know what a difference this victory will make. It will also give relief to thousands of Teamsters and their families, especially in these hard economic times.

The problem could have been solved very simply if Marion Winstead of

Louisville, Loran Robbins of Indiana, Earl Jennings of Texas and Robert Sansone of St. Louis, the union trustees of the fund, would have taken the best interests of the members at heart, instead of stonewalling for as long and as hard as the employers.

"They should never have had this mean policy in the first place," said Indianapolis Roadway Steward Roger Beach, one of the four plaintiffs in the case. "I'm glad we were able to get this corrected."

It goes to show you that once again TDU took action, good strong positive action, and got results.

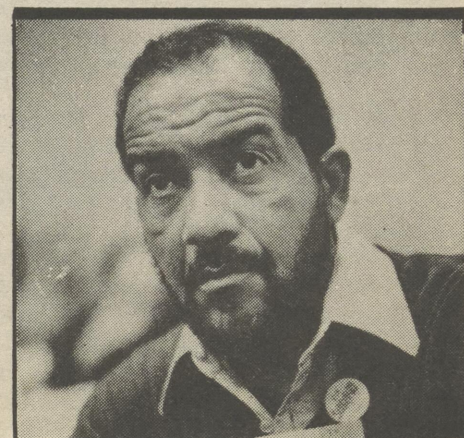


Photo by Bob Gumpert

I'll Be in Vegas

Cliff McDonald
Carolina Freight Carriers
Local 557, Baltimore, Maryland

There are just two things on my mind when I think of the Teamster Convention this May: One is the Relief Rider to the freight contract, and the other is the recently negotiated freight contract with its two-tier and other giveaways. These two events alone have convinced me that I should be in Las Vegas to show my support for the right to vote for our officers.

Concerned about the state of your pension fund benefits, and want to do something about it? Contact the TDU office for suggestions and assistance on organizing for better benefits.

Jersey Pension Win

continued from page 1

were—dozens of members turned out at the meeting with letters in hand showing that their benefits were being slashed by the rule changes.

TDU lawyers immediately began investigating the situation while members hit the streets with flyers warning members of the rule change and seeking their support. Armed with the knowledge that a similar case had recently been won by TDU in Western Pennsylvania and the discovery that the rule changes violated federal law regulating pension funds, the stage was set to present the case to the trustees of the funds.

Almost immediately, the Local 641 fund changed their rules back, and the Local 617 fund informed TDU that they are planning to. Local 560 has continued to stall, and TDU attorneys have given notice that they will take it to court unless promised pension benefit

levels are restored.

But the biggest gain in this effort is that New Jersey Teamster members have shown that with perseverance, legal and organizing backup, and rank and file action, the members can accomplish something. Hopefully this will help lift the blanket of fear that New Jersey members have had to contend with.

As Local 560 member Arthur "Smitty" Smith said with confidence, "We want everyone to know that TDU is fighting for full pension benefits for everyone, and that through our regional TDU office we are helping all New Jersey Teamsters get the benefits they are entitled to."

This pension effort really shows the spirit of TDU members, shows that they are out there building confidence, informing members, getting people to work together, and most important, that they are winning.

Carhaul Stewards: Please Post

How to Collect Correct Wages

This article on the importance and means of enforcing your contract was written by former Detroit Local 299 BA H.C. Hulett, who has decades of experience in carhaul.

At many terminals we are faced with a major problem collecting our correct wages. If your pay is short, here is the best way to deal with it. Punch a card when you find a discrepancy in your pay, then get a miscellaneous pay form and contact management about the shortages or discrepancies. Remain at the terminal until a correction is made. Then turn in for the time spent correcting their mistake. Don't be put off. Don't let them take information and promise to get back to you.

When you have a problem with the correct method of pay for a competitive, insist on seeing a copy of the competitive agreement you are being paid under. Then contact your steward or BA.

When you are instructed to perform any tasks, note the time and have the supervisor who issues the instructions sign for the time and indicate his instructions.

When issued permits ask for instructions on what to do and have the instructions signed for and the time noted. Put in for any time you spend.

Our union at the upper levels is failing to define our job classifications, and is refusing to allow us to enforce it. So the only way we can collect for work performed is to document the extra time and demand payment. Ultimately we as employees will determine whether we are paid for our time or not. If most people ignore this and don't turn in for it, then sooner or later it will become part of the job and will not be collectible.

Seniority is the backbone of unionism. Since we often take for granted its benefits, some members only notice it when they "suffer" from being below others. Many of today's union members weren't around when management routinely got rid of older employ-

ees when they were "worn out." And our union leadership does very little toward educating newer members. The protection all of us get from a seniority system will also be lost if we don't understand its importance and defend it in our workplaces. Seniority takes away from management the ability to bribe or blackmail employees.

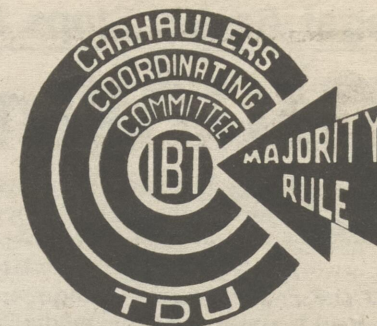
"Favors" Undermine Contract

If an employee will endure breakdown without compensation, will allow management to mistreat him or her without complaint and will do special favors for management, then management will, at their whim, do special favors for this employee. These favors cost management nothing. But they do undermine our contract. Because every

special favor the employer grants in one direction must be diverted from another. This takes away our contract right to treatment in a fair and equal manner. By encouraging employees to refrain from demanding contract enforcement and fair treatment, these favors undercut all aspects of our contract.

Each member must inform themselves concerning their situation and must make decisions based on the good of all members, not just as they apply individually. You may be able to increase your earnings for this week or this month by ignoring seniority today, but think further ahead about this industry as a career.

I think you will notice that terminals where the members stick together best



and insist on contract enforcement are the same terminals where the most benefits have been retained for everyone. "Looking out for number one" is a popular idea, but for any union employee, this attitude will eventually cost every employee many of the benefits and protections we depend on.

There is no easy answer and rebuilding our union will take patience and persistence. The most important thing each member can do is attend their union meetings, and uphold the contract in every way.

Locals Pitted Against Locals

Competitive Vote Rules Weakened

In last summer's contract fight, the right for members to vote on competitive was the single biggest selling point of the employers' second offer. New "rules of procedure" released January 8, 1986 by the National Joint Committee will reduce the effect of those votes dramatically.

Article IV, Section A1b(3) of those procedures states: "Failure of ratification by the members of one local union does not prohibit implementation of the competitive relief by the employer by utilizing employees represented by any other local union whose members have approved the same competitive relief."

In practice this means that if one local holds out for better terms on a competitive proposal another local can simply vote yes and get all the traffic. How this squares with the equalization guarantees of the Central/Southern and Eastern supplements remains to be seen.

This already occurred with respect to

traffic between Wilmington and Kansas City hauled on a running mile basis. At least that was probably off-rail traffic. The worst impact of this change can be seen in a more recent deal involving traffic from the new Poletown plant in Detroit into Illinois, Wisconsin, and Chicago. Most Chicago traffic has been hauled fullrate and represents the cream of the work. Given the length of these trips and the time required for multiple skids in and around Chicago's low bridges, a full/half rate deal is no great shakes. It is also very doubtful this traffic would actually go on the rail.

Consultation between locals is essential to prevent locals being whip-

sawed against each other. Unfortunately, in the Poletown-Chicago case, Janesville Local 579 seems to have jumped the gun and is now hauling traffic on a full/half basis. Local 299 CCI drivers are understandably furious at being sandbagged.

The procedure for postponements has also been changed, requiring mutual agreement between the local and management, replacing a procedure where each side got one postponement if desired.

Stewards should obtain copies of the new procedures from their locals. We will be glad to supply copies at no charge for TDU members only and \$1 for others.

Carhaul News Notes

Employees at Ryder Systems companies will be shocked to learn that carhaul honcho Ron Borges is not satisfied with honest cheating and was recently caught in the following con game: Borges went to Jacksonville Local 512 with a competitive proposal which he said had already been agreed to by Dayton Local 957. The next day he showed up in Dayton with the news that the deal had been signed to by Jacksonville so Local 957 might as well go along. Fortunately the Local 957 BA had the sense to call Local 512 and Borges was caught in a lie. Think of Borges the next time Ryder righteously fires someone for dishonesty.

Meanwhile Local 957 members employed by CAT out of the Moraine, Ohio plant have finally had enough. They recently took a 92% strike vote because management can't break the habit of cheating employees by half-rating fullrate loads. Sam Stintsman is coming to town to put out the fire. Hopefully, he'll throw water on CAT and not the members of this local.

BA Billy Burrows of Nashville Local 327 has unfortunately confirmed our warnings about the new language on the flexible work week for mechanics. On December 18, Burrows gave NuCar the okay to start working mechanics on weekends without overtime pay. Nu-

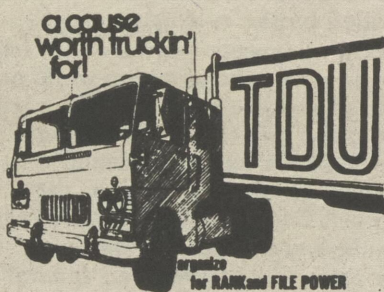
Car is also pushing the limits on its drivers by instructing them to "call in for possible ABC" before they haul their half-rate return. What they mean is hauling a local load out of eastern NuCar terminals, especially on Saturday, when these loads would ordinarily require weekend premium pay if hauled by Eastern Conference drivers.

Congratulations to **Shreveport CAT yard employees** for putting up a good fight against continuation of the piece rate contract that was imposed on them when the plant opened. Full timers there are outnumbered by part timers 27-5. When the contract came up, management raised the holiday and sick day pay from \$60 to \$105 to "buy" part-timers' votes. Fulltimers threw one wrench in the deal when they demanded Local 568 take action against 12 part-timers, including the son of the GM plant manager, for scabbing during the strike. The 12 were fined \$500 and suspended from the union for 2 years on December 31. Eight other part-timers hadn't joined the union in this right to work state and couldn't vote on the contract. In the final vote on the contract, it was approved by a 5 to 4 vote. The deal is reportedly being appealed to the joint committee.

Get your TDU Jacket or Vest

TDU jackets and vests are well-made and durable. They display a Teamster patch and American flag on the front, and the TDU "keep on trucking" logo, shown below, on the back. Jackets are lined and warm, and the vests are perfect for working on the dock on those cold days.

Lined Jackets\$22.00
Vests\$22.00
Sizes: XL, L, M, S. (Larger sizes available at slightly higher prices.)



I am enclosing \$_____ for:

_____(no.) _____(size) Lined Jackets

_____(no.) _____(size) Vests

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Company _____ Phone _____

Mail to: TDU, P.O. Box 10128, Detroit, Michigan 48210

As I See It

Frank Greco
Local 478
Edison, New Jersey



The following article was submitted by New Jersey Teamster Frank Greco. Opposing viewpoints on this and other issues will be considered for publication contingent on space and time limitations.

Over the past two years there has been much discussion both for and against the expulsion of the Local 560 Executive Board, trustees and administrator of the welfare and other funds. Local 560 is considered the most corrupt local in the country.

In 1984, Judge Harold A. Ackerman agreed with the Justice Department that the "Provenzano group" had "extorted the membership's right to vote, speak and assemble by systematic acts of intimidation." This was done through murder, extortion, associations with reputed organized crime figures (Matty "The Horse" Ianniello, just convicted of 43 counts of racketeering, mail fraud, and tax evasion), and the use of 560 as a revolving door for its officers to go from prison to 560 and back to prison. These acts had gone on since 1961, when Tony Provenzano took over the local by murdering his popular union rival and fellow officer Tony Castellitto. This is only one of four murders associated with "the group."

Judge Ackerman's decision was recently supported by the federal court of appeals, and is now before the U.S. Supreme Court.

There have been eight convictions of the three Provenzano brothers alone. The conviction of Sammy Provenzano, who is now serving time in federal prison for ripping off the benefit plan, is not even part of the present case. The criminal activity was so extensive, one more conviction was not necessary.

The mentality of the 560 officials is brought out in the testimony of former International VP, Eastern Conference official, Joint Council President, and 560 President Sam Provenzano, when he said that it was good for the members to have organized crime figures, such as the son of Al Tieri, around the union because of "what he can do for me." Mike Sciarra, the present president of Local 560 and Joint Council 73 official, testified he "prays" Tony Pro comes back despite his four convictions. These are only two examples of the convoluted mentality of the present executive board of 560. This mentality is not limited to 560. Over the years, there have been many convictions of IBT officers, including our International President Roy Williams, yet nothing has been done internally by the union. Their illegal activities are a green light for officers in other locals to do the same. Therefore, the only alternative to this desperate situation is for the members to take an active part and turn to law enforcement for help.

What is the mentality of the membership that dictates that the Justice Department should enforce the law with Jackie Presser but not with the "Provenzano group," which has a

string of convictions as long as your arm?

At the present time, the officers of 560, who volunteered to represent the membership when they took the oath of office and accepted the statutory obligations that go with the office, have failed to restore the "extorted rights" of the members. The end result is Judge Ackerman's decision.

In conclusion, I feel there is no alternative to the present state of affairs in 560 except temporary trus-

Hollywood Local 399

Trusteeship Abused in Studio Drivers' Local

In his term as International President, Jackie Presser has appeared more willing than his predecessors to use the club of trusteeship to keep locals in line. However, his experiences in studio drivers' Local 399 of Hollywood, California just may cause him to think twice about using this tactic in the future.

The 3,500 member local has all of its membership in the film and television industry, and has national jurisdiction over that work. As one 399 member told *Convoy*, "The International really wants to control this local because there is so much money which flows through the entertainment industry, most of it in cash and very hard to trace. This is something that they really want to be in on."

The current turmoil in Local 399 began when rank and filer Nate Parks defeated Pete Diskin, the incumbent secretary-treasurer, in December 1984.

Parks took over a local which was more than \$20,000 in the red, which was ineffective in representing its members, and which faced membership allegations of overwhelming favoritism and payoffs in the hiring hall. In six months, he managed to eliminate the debt, clean up the hiring hall, increase the size of the staff, organize several new bargaining units, and start regular classes and meetings for shop stewards.

However, the old "family" which had run the local and still controlled most of the executive board, began to agitate for trusteeship. Parks' cause was not helped by the fact that he turned down a personal request by Presser to find a job for the son of Norm Greene, head of the Teamster's retiree division. In June 1985, Presser put Local 399 in trusteeship, and appointed International Organizer Earl Bush, of Seattle, as trustee. Since taking over, Bush has managed to set the local back years.

In August, he renegotiated the industry-wide contract, and agreed to a system which allows no new people to be added to the studio's seniority lists. All new hires from now on will be permanent casuals. Bush has also verbally agreed (apparently) to allow

several independent producers to bypass the hiring hall altogether. Bush announced in January that he had appointed a new executive board, with himself as secretary treasurer. He went on to amaze the members by telling them that he plans to run for office when the trusteeship ends, even though he has never worked in the industry and will have only been in the local for 18 months. Already, members are organizing to run against Bush's hand-picked slate for the delegates to the 1986 IBT Convention, and he will also face tough opposition in the December local election.

UPS Air To Be 100% Part-time?

UPS admits they want all of the Next Day Air operation to be part-time. At a recent Challenge of the 80s meeting in New Hampshire, members were treated to the news from management that it is their intention to eventually run the entire NDA operation with part-time workers: feeder drivers, delivery work and all other work.

Surprised? It's no news that Presser, Dan Darrow and the rest of the International UPS committee have essentially given the green light to go local by local to get part-time drivers for late NDA packages. So far, the company has been successful in some locals in the south, some western states, Wisconsin and parts of Michigan, while other areas have resisted the company's plan.

The IBT has given UPS the foot on the door they want to eventually push through their plan for 100% part-time workforce in NDA, resulting in a further loss of top-rate, fulltime jobs, and greater divisions between members. What can be done to stop this trend?

1. If your local has not yet agreed to relief on NDA, keep the pressure on them to resist giving in. If your local has agreed, urge them to re-negotiate with UPS for a better deal or to end the use of part-time drivers at lower wage rates.

2. Urge your local to work with other locals to resist this relief. Many locals have refused the deal.



New Materials from the UPS Committee

The UPS Committee of TDU has published two new materials that should be of interest to all UPS Teamsters. A special postcard (pictured above) is pre-addressed to the television news programs *60 Minutes* asking them to investigate working conditions and UPS's relationship to the Teamsters Union. Price: 10¢ a piece. Also available is a new brochure explaining what UPS/TDUers have done and outlining our goals for the coming year. The brochure is free.

☐ Send me _____ 60 Minutes postcards. Enclosed is \$_____.

☐ Send me _____ UPS brochures.

Name _____

Address _____

City/State _____ Zip _____

Phone # () _____

Send to: TDU, Box 10128, Detroit, MI 48210

UPS Committee Sets Sights on Contract

Lou Woodward
United Parcel Service
TDU/UPS Steering Committee
Largo, Florida

With the Christmas rush over for another year, UPS Teamsters should start giving some serious thought to our next contract. September, 1987 may seem like a long way off, but we should all remember how Jackie Presser and UPS brought in the contract extension a year before our last contract expiration date.

Now is really the time to start laying the groundwork for getting a good contract the next time around. We should be thinking about what we want, start exchanging ideas with people in our own hubs and centers, and keep reaching out to people from other areas.

One good step could be exchanging supplements from our different areas. Most of our supplements are fairly similar regarding wages, but there are substantial differences between other conditions like holidays, vacations, sick leave, breaks, lunch periods, grievance procedure and other important issues. By comparing supplements we can find good language to push for in all supplements. The Northern California Supplement, for example, has a total of thirteen paid holidays. The Northern California, New York Local 804 and New Jersey Local 177 Supplements have "innocent until proven guilty," which keeps fired employees on the job until their case is heard.

With other UPS Teamsters already enjoying these conditions, it is not excessive to ask for them in every

supplement.

One thing that the 1984 contract extension showed us was that an organized membership is the only thing that can put pressure on for a decent contract. In most areas where there was a strong TDU chapter or good local officials, opposition to the 1984 extension was strong and unity was good. In areas where we had few contacts and organization was low, the extension passed by a much higher margin. We've got to strengthen the areas where we have people, and reach out to more centers.

As contract time draws closer, holding meetings with workers at

other centers and hubs will be a big help. If done to draw in a wider selection of contract proposal ideas, it will also let our locals know that the requests come from a large cross section of the membership.

Over the next year and a half the UPS Committee of TDU will be doing what it can to reach out to more UPS Teamsters and prepare for the contract. One thing is for sure: the only way that we will get a better contract is to be informed and organized, and unless we want Presser to have the only say in negotiating our contract, now is the time for us to start. Don't wait for someone else to do it for you!

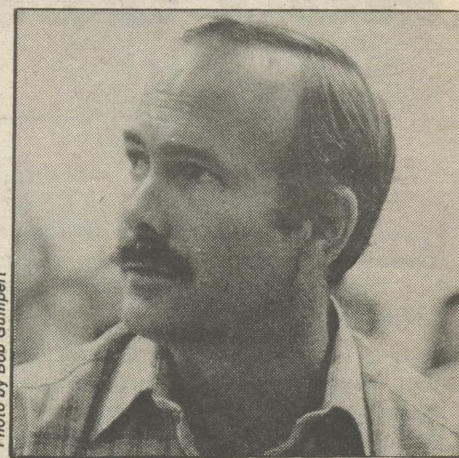


Photo by Bob Gumpert
Lou Woodward, Local 79, Largo, Florida.

Local 710 Bends to Legal and Organizing Pressure

Indy UPSers Win Union Meetings

In January Indianapolis UPS Teamsters were informed that Chicago Local 710 had finally agreed to set up an office and conduct union meetings and grievance hearings in Indianapolis. Over 200 members were on hand for the announcement made by Local 710 Sec. Treas. Bill Joyce.

"This is just what we were pushing for," said Indianapolis Local 710 member Jerry Westgerdes. "We are finally starting to see some of the fruits of our labor."

An extensive network of TDU members in Indiana, Illinois and Davenport, Iowa has grown and organized over the last several years over the need for better representation for outstate UPS members. Outstate meetings and hearings were also part of the platform of the Eagle slate,

which ran against Joyce this past fall.

Because of this decision Indianapolis UPS members will be able to attend union meetings and have their grievances heard at a location convenient for them. Up until now all of the 4,000 UPS members in Indiana, Illinois and Davenport have had to go to Chicago for meetings and grievance hearings, a severe obstacle to participating in the local union affairs.

Still up in the air is whether the local will be willing to make the same positive steps for outstate Illinois and other members still at great distances from either Chicago or Indianapolis. When Joyce was questioned at the Indianapolis meeting about setting up meetings in Evansville he said that it would be considered.

TDUers in Illinois, urged on by the

victory in Indianapolis, have started a petition circulating that asks the local to "have union meetings and grievance hearings conducted at as many outstate locations as possible." Copies of the petition are available from the TDU office. Contact us immediately to order some.

Local 710 UPS members are also awaiting the harvest of another fruit of their hard work. A lawsuit filed by members and handled by TDU lawyer Tom Geoghegan seeks a mail-in vote on bylaw amendments. The Federal Appeals Court ruled in favor of the suit in October and an appeal by union officials to the Supreme Court is expected to be rejected in the near future, paving the way for a fairer voting procedure on bylaws' amendments.

UPS and Downs

Allentown Drivers Vote No on Part-Time Cover Drivers.

Despite highly questionable tactics used by UPS to get its way, Allentown Local 773 package car drivers recently rejected by 38-7 a company proposal that cover drivers be lower paid part-timers for most of the year. Last year the drivers voted down a similar proposal, but the company decided to give it another shot after changing the vacation bids so that fewer drivers would get summer vacations. Before the vote, the local relayed the message from UPS that the summer bids might be changed back depending on the results of the vote.

TDUers were prepared to file charges with the National Labor Relations Board over the company's actions, but following the vote results decided to hold off on them. After the vote the business agent announced that this would be the last time the issue would be voted on.

Locals 776 and 639 Win Compensation Issue.

The practice by UPS of deducting workers' compensation money from vacation pay has been stopped in Harrisburg Local 776 and Washington D.C. area Local 639. Grievances filed did the trick. In Local 639 the case was originally filed in 1983 and the arbitrator based his final decision on the fact that the company had made the change in the middle of the contract, and that there was no language justifying the action. A similar grievance was won by a Philadelphia Local 623 member in 1984.

UPS Stealing Chicago Feeder Jobs Through Subcontracting.

For some 12 years UPS has been following the practice of using non-UPS trailers to ship some loads from the east to Chicago, unloading the trailers in Chicago, and then turning them back over to the company they originated from. The deal works out well for both parties—UPS gets the use of the trailers and the companies get their trailers into the midwest at no cost.

For those same 12 years Chicago Local 705 feeder drivers have hauled the trailers back to the rail yard after they were unloaded, but now UPS is trying to take that work away by giving it to non-union "vendors." Starting on February 6 Bedford Park UPS began subcontracting one trailer a day, a clear violation of the contract. Bedford Park members have responded by having a different driver file a grievance for the lost time each day.

So far, there has been no response from either the local or the company, but the drivers intend to keep filing grievances to keep the heat on, and are prepared to build the pressure to stop this loss of union drivers' work.

St. Louis and Cincinnati UPSers Win Special Meetings.

UPS Teamsters in both St. Louis and Cincinnati recently organized successfully to win monthly UPS jurisdictional meetings. Concern has been high in both cities over increasing productivity harassment. In St. Louis a number of firings in the package car department over trumped up charges spurred support for the monthly meetings. At their first one over 100 members showed up to discuss the problems.

Cincinnati members also were unable to get monthly craft meetings, and have begun to set up a special "firing fund" to protect members fired by the company.

Jacksonville Feeder Drivers Win Grievance.

An important grievance filed by Jacksonville, Florida feeder drivers over the assigning of overtime has been won. The grievance charged that feeder drivers working the 4-10 work week should be offered work on their days off before it is offered to yard people. The company had been assigning runs previously done completely by specific feeder drivers to yard people, with the result that the feeder drivers were making less than was previously possible under the five day work week.

A similar grievance was filed and won in Orlando last year, where the 4-10 workweek is also being used. While feelings about the 4-10 week seem to be mixed, with some drivers liking it and others not, a number of problems like this arise that require action on the part of the drivers to be solved.